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ABSTRACT

As might be expected with programs involving the distribution of large amounts of money, problems have developed in the operation of the federal student financial aid programs in postsecondary education. The study reported here was undertaken in 1976 to provide: (1) an in-depth profile of the strengths and weaknesses of the laws and enforcement resources of the states in protecting students from abusive institutional policies, practices, and conditions, or (2) suggestions for acceptable techniques that might be used to help state officials improve their laws and augment their enforcement resources. The final report details the methods used in the study, summarizes the results, outlines conclusions and generalizations made, and recommendations for the next steps to be taken. A list of references and detailed appendixes are included. (MSE)

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FINAL TECHNICAL REPORT

A STUDY OF STATE OVERSIGHT IN POSTSECONDARY EDUCATION

Steven M. Jung
Jack A. Hamilton
Carolyn B. Helliwell
Jeanette D. Wheeler

30 December 1977

Department of Health, Education, and Welfare

U.S. Office of Education/Office of Planning, Budgeting, and Evaluation

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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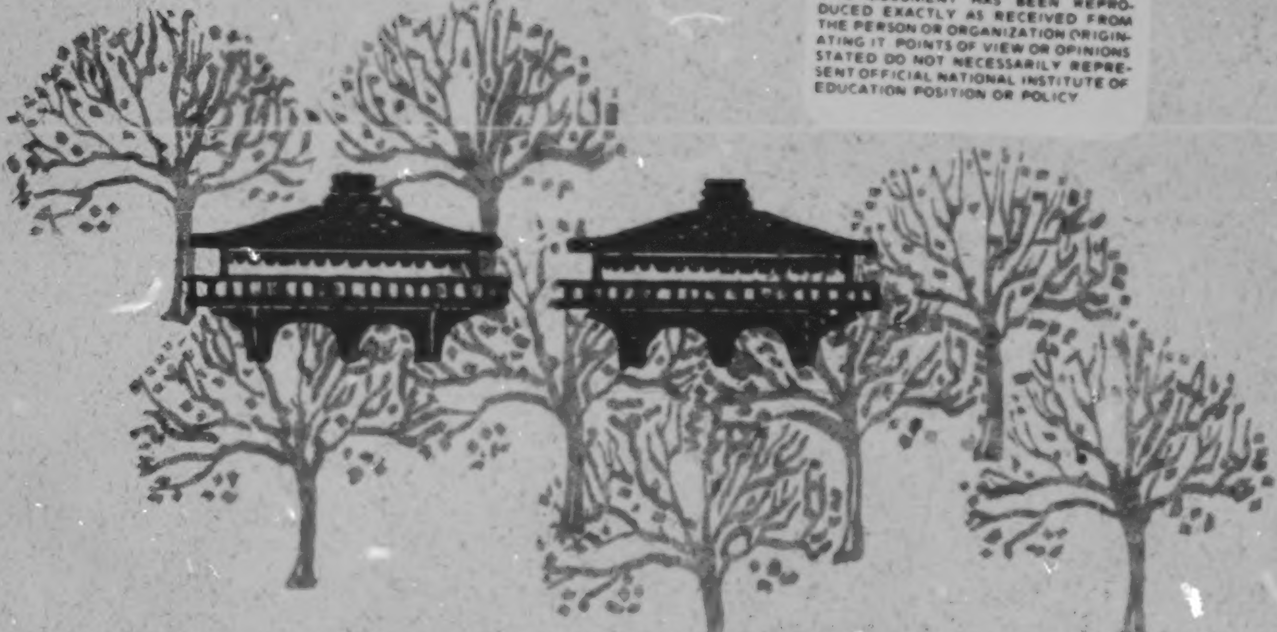

AMERICAN INSTITUTES FOR RESEARCH
Post Office Box 1113 / Palo Alto, California 94302

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With few exceptions, officials of over 200 state agencies contributed their time and expertise willingly in: (1) providing us with copies of their states' laws and regulations regarding institutional authorizing and oversight; (2) answering numerous questions about our interpretation and reviewing our abstracts of those laws and regulations; (3) responding over the telephone to a very detailed questionnaire on their enforcement practices and resources, sometimes taking over two hours; and (4) for officials in 20 states, arranging and participating in personal interviews. This magnificent cooperation often kept us going during those dark times when the task appeared overwhelming.

The members of our three Project Advisory Panels (listed in Appendix A) met with us on two occasions and contributed much encouragement and wisdom, as did Dr. Jack Leslie, a primary consultant on state licensing affairs. Mr. William Kaplin, Mr. Bruce Chaloux, and Mr. Bruce Hamlett also served as consultants at various points during the project.

Mr. Jim Shearer, Ms. Jean Reynolds, and Ms. Jean Wolman performed many of the data analyses and compiled many of the charts contained herein; Ms. Reynolds also edited and typed the abstracts of state laws and regulations. Dr. David Gross and Mr. Stan Sibley set up the questionnaire data for computer processing; other AIR staff who contributed to the project are: Ms. Ellen Stewart, who catalogued state laws and regulations; Ms. Susan McBain, who abstracted laws and regulations; Ms. Deborah Plumley, who assisted with the telephone interviews; and Ms. Beverly Harlan, who handled all of our administrative problems and typed much of this manuscript.

Responsibility for any remaining errors in judgment or in fact is that of the senior author.

INTRODUCTION

Background of the Study

During the past five years, postsecondary student assistance programs administered by the U.S. Office of Education (USOE) have enabled an estimated nine million students to receive a postsecondary education who might otherwise have been unable to do so. These programs include the Guaranteed Student Loan (GSL) program, the National Direct Student Loan (NDSL) program, the College Work Study (CWS) program, and the Basic and Supplemental Educational Opportunity Grant (BEOG, SEOG) programs, all established by Title IV of the Higher Education Act of 1965 as amended in 1972 and 1976. During the same period, federal expenditures for these programs have exceeded eight billion dollars.

In essence, the 1965 Act, as amended, stipulates that a public or private (non-profit or proprietary [incorporated as profit-seeking]) school can seek eligibility to participate in the federal assistance programs if that school: (1) is legally authorized to operate by the state in which it is located; (2) offers a bachelor's degree, associate degree, or occupational preparation program of sufficient length; and (3) is accredited by a private accrediting body officially recognized and listed by USOE, or is recognized by a designated state agency (under the so-called Mondale amendment, for public vocational schools), or is awarded special recognition by the Commissioner of Education (in cases where appropriate private accrediting bodies do not yet exist).

Ultimately, institutional eligibility determinations are made by USOE's Division of Eligibility and Agency Evaluation (DEAE), Bureau of Higher and Continuing Education, which reviews an institution's application for eligibility to insure that federal statutory requirements have been satisfied. Specific eligibility determinations for individual assistance programs are then performed according to additional sets of regulations applicable to each program. For example, over 8,300 postsecondary institutions are currently recognized as eligible for participation in the Guaranteed Student Loan Program, which is the largest of the five USOE-administered programs listed above.

As might be expected with programs involving the distribution of large amounts of money, problems have developed with the operation of the financial aid programs. Some of the problems stem from the operational policies and practices of certain postsecondary institutions that are eligible to participate in these programs. Several series of articles in the popular press (e.g., the

Boston Evening Globe, 25 March - 1 April 1974; the Washington Post, 24 June - 26 June 1974; and the Chicago Tribune entered into the Congressional Record - Senate, 10 July 1975) have called public attention to consumer abuse in proprietary (for-profit) occupational schools, although it is recognized that problems also occur in the other types of postsecondary educational institutions. The testimony of former U.S. Commissioner of Education T. H. Bell (1974, p. 1) before the Federal Trade Commission summarizes the situation.

> ...the vast majority of postsecondary schools and programs are doing an honorable job of serving the Nation. However, a number of common malpractices have been identified in a relatively small number of schools. They are found not only in proprietary (private, for-profit) institutions but also in public and private-nonprofit institutions. These practices include:
>
> (1) misleading and inaccurate advertising;
>
> (2) indiscriminate and overly aggressive recruiting;
>
> (3) lack of full disclosure of salient institutional characteristics and information needed by the student consumer;
>
> (4) inferior facilities, course offerings, and staff;
>
> (5) false promises of job placement and earning opportunities;
>
> (6) inadequate refund policies (or failure to abide by stated policies).

Since the student "contracts" with an institution to purchase educational services expected to be of personal benefit and then invests time, energy, and money in the pursuit of programs of self-development, students may be considered the primary consumers of education (Willett, in ECS, 1974, pp. 78-88; and FICE, 1975). They, of course, suffer when postsecondary educational institutions engage in abusive practices, but other groups are hurt as well.

The entire educational community is affected. Charges leveled at unethical institutions tend to implicate those that discharge their responsibilities fairly and well. DEAE's review of the Boston Globe allegations against proprietary schools noted that enrollment and prospective student inquiries at proprietary technical and trade schools "rapidly declined after the publication of the series, by estimates ranging from 35 to 50 percent" (Pugsley & Hardman, 1975, p. 13). Colleges are increasingly coming to recognize that public opinion affects their financial and academic affairs. Public confidence in higher education has declined in the past 25 years (Shulman, 1975). Widely publicized claims of malpractice and consumer abuse cannot help the situation.

Members of the general public also lose when postsecondary educational institutions engage in malpractice. As the proposed "Postsecondary Education Consumer Protection Act of 1975" (H.R. 2786) put it, "The Nation has suffered substantial losses of human, financial, and educational resources because of the unethical actions of some administrators, recruiters, and other persons associated with eligible postsecondary education institutions" (Bell & Pettis, 1975, p. 2). Taxpayers are hurt when public funds do not achieve the purposes for which they were intended and when disillusioned students default on guaranteed loans, requiring Congress to pay off the loans.

Much more has been written about abuses in the proprietary occupational education sector than about those that occur within the ivy-covered walls of higher education. Proprietary schools' advertising and recruiting practices have come under heaviest attack (Newburg-Rinn in ECS, 1974; Pugsley & Hardman, 1975). However, Harold Orlans and his collaborators (Orlans, Levin, Bauer, & Arnstein, 1974) have discussed at length examples of deception and malpractice at accredited colleges and universities. Examples of many of the same practices for which proprietary schools are criticized are presented by these authors in journalistic exposé style. Business malpractice and deception, athletic recruiting scandals, and advertising improprieties are cited as evidence that improved consumer protection is needed in all sectors of postsecondary education.

Historically, the major statutory safeguard against institutional abuse of federally-aided students has been that eligibility to participate in student assistance programs is granted only to institutions that first meet the minimal standards of the three "tripartite system" elements: (1) the states, (2) the private, non-governmental accreditation bodies, and (3) the federal government. In practice, and as recently summarized by the Federal Interagency Committee on Education (FICE, 1975), the federal approach has been to depend largely on the functioning of the other two members of the tripartite system (the states and the non-governmental accreditation bodies) when dealing with student complaints and other evidence of potential student abuse.

States are the tripartite system partner with the major consititutional responsibility for governing postsecondary education within their boundaries (Kaplin, 1975). Normally, state authorization is also a prerequisite for seeking accreditation. Strengthening states' institutional authorizing and oversight laws and enforcement capabilities is thus a popular theme in improving postsecondary education consumer protection. The FICE Subcommittee on Educational Consumer Protection recommended that "the Education Commission of the States (ECS) and the National Association of State Administrators and Supervisors of Private Schools (NASASPS) assist those states which do not have school 'approval' legislation, or which are interested in streamlining...existing legislation... [to adopt]...legislation at least as strong and proconsumer as the [ECS-developed]

Model State Legislation" (FICE, 1975, p. 55). Commissioner Bell also stressed the need for better state enforcement in his testimony before the Federal Trade Commission. In a statement which presented USOE's efforts to strengthen the state authorization and oversight process, he noted that "...the issues that confront us today include not only the development of [state] regulatory laws, but also how such laws are administered and enforced" (Bell, 1974, p. 7).

In a comprehensive study of strategies for improving the student consumer protection function in postsecondary education, the authors of this report concluded elsewhere (Jung, Hamilton, Helliwell, Gross, Bloom, Shearer, McBain, & Dayton, 1977) that USOE could depend more strongly on state governments to monitor the consumer protection policies, practices, and conditions of institutions that sought eligibility for USOE-administered assistance programs. Such increased dependence would be in line with the state's already recognized "police" powers under the U.S. Constitution and would possibly not involve the large amounts of controversy and contention that have been associated with past USOE efforts to promote stronger "regulatory" functioning among private accrediting bodies (c.f., Proffitt, 1976; Young, 1976a; Manning, 1977).

Commenting on USOE's policy, Herrell (1974) pointed out that "one salient advantage in using State agencies, when they are efficient and effective, is that they generally can provide closer surveillance and oversight, and can react more quickly, than can a regional or national organization or agency (p. 24)." The qualifier "when..." in the sentence above suggests that not all states were viewed as performing the authorization and oversight functions satisfactorily. Several past investigations of state authorizing and oversight laws and practices have produced contradictory findings in this regard. A brief study by the staff of the Federal Trade Commission (FTC, 1976) concluded that state authorization and oversight are unable to provide adequate consumer protection for students. The FTC staff determined that additional FTC involvement was required, at least in the proprietary and home study school area, and requested a stronger Trade Regulation Rule to help curb abuses in this area (proposed 16 CFR Part 438, in 40 FR 21048, 15 May 1975, which would update existing trade regulation rules found in 16 CFR Part 254 [adopted 16 May 1972]).

On the other hand, a brief study conducted at about the same time by the National Association of State Administrators and Supervisors of Private Schools (NASASPS, 1975) concluded that the states are generally doing an acceptable job of preventing and controlling abusive practices. Both of these studies suffered from potential bias, in that the obtained results tended to support positions already strongly held by the sponsoring parties. More seriously, neither study provided (1) an in-depth profile of the strengths and weaknesses of the laws and enforcement resources of the states in protecting students from abusive institutional policies, practices, and conditions or (2) suggestions for acceptable techniques that might be used to help state officials improve their laws and augment their enforcement resources. The present study was begun in July of 1976 in an attempt to provide such information, which is in fact a prerequisite for any discussions of improving state functioning as part of the tripartite eligibility system for USOE-administered assistance programs.[1]

The Primary Focus of the Study

"State oversight of postsecondary education" is an incredibly broad term, covering a much wider range of topics than could possibly be considered with the time and resources available. Our initial problem was to reduce the scope of the study to manageable proportions while maintaining the primary focus on educational consumer protection. Several decisions were made, as follows.

Define institutional authorizing and oversight. A great potential exists for confusion in the definition of the terms "institutional authorizing and oversight," due to the large number of functions state education agencies actually carry out with respect to postsecondary education and the lack of consistency among states in naming these functions. Our intent was to include functions that constituted "granting initial and continuing approval to a postsecondary institution to operate and offer educational services" while excluding virtually everything else. For example, state oversight, especially in the public higher education domain, often includes such diverse functions as institutional budget review and approval, program planning and coordination, scholarship and loan program administration, etc. We decided to exclude such functions from the purview of our study because they were not likely to relate to the primary consumer protection topics listed in Table 1, which are derived from AIR's earlier study of consumer protection strategies in postsecondary education (see Jung, et al, 1977).

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[1] It should be noted that over 20 federal statutes, in addition to Title IV of the Higher Education Act of 1965, also make use of the USOE eligibility system. Included among this number is the assistance program for veterans and their dependents administered by the Veterans Administration; this is the largest of the federal programs providing assistance to postsecondary education, and will be discussed in more detail in the Discussion and Conclusions section of this report.

TABLE 1

INSTITUTIONAL CONSUMER PROTECTION POLICIES, PRACTICES, AND CONDITIONS REPRESENTING PRIMARY FOCUS OF STUDY

1. Financial Stability
2. Advertising and Recruiting Practices
3. Policies and Practices for Public Disclosure of Necessary Information to Students and Prospective Students
4. Quality of Instructional Programs and Facilities (minimum standards)
5. Quality of Instructional Staff and Faculty (minimum standards)
6. Recordkeeping Policies and Practices
7. Job Placement and Follow-up of Former Students
8. Tuition and Fee Refund Policies
9. Representation of Accreditation Status (if appropriate)

Confine oversight to statewide jurisdiction. Many institutions, especially in the public higher education domain, are subject to the jurisdiction of individual boards of regents or regional boards that do not have statewide coverage. Because it did not represent "state" oversight, this form of jurisdiction was eliminated from the purview of the study. Also eliminated were any other forms of local, municipal, county, and federal oversight over postsecondary institutions.

Concentrate on strictly educational laws and regulations. Although we had no data on the issue at the time, it appeared that some educational institutions, especially in the proprietary sector and especially with respect to consumer protection topics, might well be subject to state consumer protection laws that govern such topics as truth-in-advertising, unfair and deceptive trade practices, door-to-door sales, installment contracts, etc. Nevertheless, a comprehensive examination of these laws and their enforcement with respect to educational institutions was beyond the scope of our study. We sought to limit our attention to laws that referred directly to state oversight of educational institutions. However, because of the potential importance of this source of state oversight, data from other sources were obtained that had a bearing on the relevance of consumer protection laws; these data are presented later in the Discussion and Conclusions section of this report.

Concentrate on obtaining objective data directly from documents and discussions with state educational agency officials. It was possible to consider obtaining data on the nature and effectiveness of state oversight from a number of sources and perspectives. For example, federal officials and acceditation agency staff deal regularly with state oversight, as do the officials of affected institutions, and they no doubt have definite opinions to contribute on the subject. However, we chose to concentrate on analyses of: (1) the actual contents of state laws and regulations; (2) the actual enforcement strategies employed by state education agencies pursuant to those laws and regulations; and (3) the stated needs of state education agency officials for improving the oversight function in their states. This reduced the size of the survey universe to manageable proportions. It also allowed us to avoid almost entirely the use of attitude measures or other subjective scaling techniques that we felt had less relevance to the primary focus of the study, which was the extent of oversight of institutional policies, practices, and conditions.

Overview of this Report and Other Project Reports

The remainder of this final technical report is broken up into four major sections. The next section details the Methods we used in conducting our study of state oversight. Section three, Results, presents an overall summary of the data obtained from our study. Generalizations are drawn and some conclusions are made in the fourth section, Discussion and Conclusions. The final major section, Follow-up Implications, contains our considered judgments regarding the next steps that should be carried out by USOE officials and other parties interested in improving state oversight, including state agency officials themselves. References and detailed Appendices conclude the report.

In the course of carrying out the study, AIR staff produced three other documents that complement this report. The first, entitled Abstracts of State Authorizing/Oversight Laws and Regulations (Helliwell, McBain, & Wheeler, 1977), contains over 800 pages of abstracts; it is discussed at greater length in the next section. The entire document has been submitted to the ERIC system[1] for dissemination. The second, entitled DEAE Data Collection Strategies and Data Analysis Plans (Jung, 1977a) is an in-house document prepared for the use of DEAE staff in periodically updating the results of the questionnaire survey of state authorizing and oversight agencies, which is also discussed in greater detail in the following section on Methods. The third (Jung, Hamilton, & Wheeler, 1977) constitutes a Technical Addendum to this final report. It contains the current names, addresses, and telephone numbers of the state authorizing and oversight officials in every state. It then provides summaries of almost 200 critical incidents of successful and unsuccessful efforts by state oversight agency officials to prevent and correct apparent or potential abuses in postsecondary institutions. In addition, it contains summaries of the perceived needs of state agency officials in 20 states for more enforcement resources, barriers to obtaining those resources, possible strategies for overcoming the barriers, and possible ways the U. S. Office of Education could assist. We hope that this Technical Addendum will prove to be a very valuable resource to state agency officials in helping them to identify possible solutions to common problems that have already been tried out in other states.

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[1] The Educational Resources Information Centers constitute a document storage and retrieval system funded by the USOE. For information on how to obtain documents through ERIC, write: ERIC Document Reproduction Service, P. O. Box 190, Arlington, VA 22210.

METHOD

The study of state authorizing and oversight was conducted in three parts. The first part was an effort to locate, catalogue, abstract, and summarize all state education laws and regulations that dealt with authorizing and oversight of postsecondary educational institutions, in both the public and private sectors. The second part was a telephone questionnaire survey of all state agencies that carry out the authorizing and oversight functions pursuant to these laws and regulations. This survey gathered objective data on the enforcement mechanisms and resources of these agencies and ratings of possible strategies that USOE might use to assist in improving their functioning. The third part was a series of site visits to 20 selected states to follow-up on the telephone interviews, paying particular attention to the collection of critical incidents of effective and ineffective state agency actions in preventing or correcting actual or potential abuses and in-depth studies of particularly instructive cases. During these site visits, persons outside of the respondent agencies were also interviewed to obtain their perspective on the problems of state authorizing and oversight. Included were legislators, staff of attorneys general offices and consumer protection agencies, and state officials responsible for approving courses for veterans benefits under contract to the Veterans Administration.

The methods used in each part will be discussed in turn in the following paragraphs.

Review of State Laws and Regulations

Obtaining and cataloguing copies of relevant laws and regulations. In general, we sought copies of state laws and regulations, standards, and rules that had the force of law. Several search strategies were used to obtain copies of such documents. First, the project director made a presentation announcing the study to state officials at a workshop held 18-23 July 1976 Keystone, Colorado. This workshop, co-sponsored by ECS and the Postsecondary Education Convening Authority/Institute for Educational Leadership/George Washington University, was attended by representatives of 35 states. It provided an ideal setting for making personal acquaintanceships and a general plea for documents.

Second, the USOE Technical Monitor sent an introductory letter (in Appendix B) to the executive directors of all state postsecondary coordinating (1202) commissions. A Project Brief (Appendix C) was then prepared and widely disseminated.

The Brief was sent to all 1202 commission heads along with a letter (in Appendix B) from the project director requesting copies of relevant documents. This letter also asked for necessary corrections in a list of state authorizing and oversight officials' names and addresses, obtained from lists previously published by NASASPS, the State Higher Education Executive Officers (SHEEO) organization, and the Association of Independent Colleges and Schools (AICS).

Third, existing libraries of state laws and regulations were sought. One useful set of documents was obtained from the Florida Board of Independent Colleges and Universities. This set existed through the efforts of Florida State University graduate students who had prepared brief papers on state licensing and approval topics for the Keystone workshop.

As documents were obtained, they were reviewed to determine whether they complied with our basic definitions and limitations; if they did, they were catalogued and filed so that gaps could be identified immediately. As part of the cataloguing and filing process, each law was given an arbitrary two digit classification number, roughly in the order it was obtained. Regulations and/or rules with the force of law were catalogued under the same number as the law from which they drew their statutory authority; a third, arbitrary digit was added to give each regulation a unique classification number.

It is estimated that these preliminary contacts yielded about 65% of the laws and regulations finally obtained. The universe of postsecondary institutions (for which laws/regulations might exist) in each state was defined by first dividing it into two ownership/control types (publicly-supported and private) and two educational program types (degree-granting and nondegree-granting). A further division was made between private non-profit and private proprietary in the private sector. This produced the matrix shown in Figure 1, in which each of the six cells was expected to contain a non-overlapping set of postsecondary institutions. Where gaps in coverage were evident from our catalogue, AIR staff made telephone calls directly to state officials to try to obtain documents or verify that the state in fact had no jurisdiction over institutions in a particular cell of Figure 1. The process of telephoning and retelephoning to obtain documents continued throughout the first year of the project; we estimate that we finally managed to obtain about 95% of the total possible set of documents. Of course, due to changes resulting from new legislative and rulemaking activities, it was not possible to get everything. A cutoff date of 1 January 1977 was established. Laws/regulations enacted after that date were generally not catalogued (although a few exceptions were

		OWNERSHIP/CONTROL		
		Public	Private	
			Non-profit	Proprietary (incorporated as profit-seeking)
EDUCATIONAL PROGRAM	Degree-Granting			
	Nondegree-Granting			

Figure 1: Control/Program Matrix for Classifying Postsecondary Institutions in a State

made in the case of especially significant documents). At the final count, over 250 documents were catalogued and filed. This does not include some 200 documents that were received but were classified as public information brochures, applications, policy guidelines, or other statements without the force of law and were not processed further.

Laws and regulations governing public postsecondary institutions were generally the hardest to obtain, largely because the concepts of authorizing and oversight as we defined them are somewhat incongruent with concepts of institutional governance in the public sector.

Abstracting and analyzing laws and regulations. AIR's original proposal for this study contained a suggested outline for abstracting laws/regulations into standard language and a standard format so that comparisons could be made among states. This original outline was modified early in the study as part of our Study Design and Analysis Plan (Hamilton, Jung, & Wheeler, 1976) to contain the categories listed in Table 2.

It was originally planned that one reviewer would read and abstract all laws and regulations, using the Table 2 format as a guide. The unexpectedly large number of documents we received quickly rendered this plan unworkable. Two reviewers were assigned to review laws/regulations in the private sector, and one additional reviewer was assigned to the public sector. This division, although more efficient, caused problems when laws/regulations were encountered with provisions that cut across our sector boundaries (e.g., a law governing both public and private degree-granting institutions or a law that basically governed nondegree-granting institutions but also contained provisions for conditions these institutions had to meet in order to grant associate degrees). It also created reliability problems, in that each reviewer initially tended to focus on and include somewhat different types of language under the same categories; these problems were exacerbated by the fact that many of the laws and provisions, especially in the public sector, simply did not fit into the consumer protection categories of Table 2.

Several major steps were taken to try to improve reliability. All reviewers were asked to independently abstract the same law; meetings were then held to compare abstracts and resolve differences in interpretation. The category definitions in Table 2 were sharpened several times. A standard typing and editing procedure was set up, so that every abstract was reviewed and edited by one person, who had not produced any of the abstracts.

TABLE 2

REVISED ABSTRACT FORMAT

1. Identification: Provide basic identifying information on statutes and regulations in the following format. Make sure document is numbered for identification in later sections (AIR Internal Classification #). Place regulations after the law that authorizes them. Place statutes and regulations governing private institutions before those governing public institutions, if possible.

    Full title (and short title)

    Dates enacted and/or revised

    Stated purpose

    Basic effect (summarized in 1-2 sentences)

    Basic coverage (the sectors of postsecondary education institutions to which the statute or regulation applies)

2. Application: State the types of institutions to which the statutes and regulations apply.

    Copy the basic prohibition of the statute or regulation.

    Summarize specific inclusions and/or exclusions.

    Note special provisions or differentiations relating to:

    - ownership status (public, private, proprietary, non-profit);
    - accreditation;
    - correspondence schools;
    - out-of-state schools;
    - non-traditional schools; and
    - degree vs. non-degree schools

3. Coverage: Provide information on consumer protection provisions of the statutes and regulations.

    Briefly summarize sections of the statutes or regulations relating to the areas listed below:

    a. Institutional purpose, governance, and operation
    b. Course length, content, goals, or objectives
    c. Degrees, diploma, credential, or graduation requirements
    d. Qualifications of instructional or administrative staff (including maximum teaching loads and teacher-pupil ratios)
    e. Facilities (including instructional and administrative facilities and equipment, housing or room/board facilities, health and safety requirements)
    f. Financial stability (including institutional performance bonds and financial record maintenance)
    g. Qualifications of potential students and orientation of entering students
    h. Public disclosure of material facts (including fees and content of enrollment agreement or contracts)
    i. Advertising or sales/recruiting practices (including minimum qualifications or licensing for sales representatives, and limitations on use of terminology such as "university," "approval," "admissions counselor," etc.)
    j. Student and personnel recordkeeping practices (including requirements for maintenance of students' records)
    k. Financial practices (including procedures for making loan awards, requirements for fees, and scholarships or aid requirements)
    l. Refund policies and practices
    m. Placement (including placement/follow-through data collection practices from students, dropouts, graduates, employers)
    n. Other

4. Administration: Provide information on routine application and renewal procedures for authorization or licensure.

    a. Administrative agencies and their consumer protection duties
    b. Official evaluation of institutions or programs (including approval/renewal investigations)
    c. Information or reports required
    d. Authorization and/or renewal period
    e. Fees (including disposition of fees)
    f. Temporary or conditional approval
    g. Other (including requirements to list approved schools)

5. Enforcement: Describe how compliance with statutes and regulations is enforced.

    a. Enforcement agencies (describe who has responsibility for which enforcement strategies)
    b. Complaint handling procedures (including investigation and hearings)
    c. Reasons and procedures for denial or revocation of licenses (including review procedures)
    d. Other enforcement procedures and sanctions (including enforcement strategies related to complaints, and provisions relating to enforceability of contracts, bond indemnification and aggregate liability on bonds, review procedures, restrictions or lack of restrictions on various strategies, and jurisdiction of courts)
    e. Other (including requirements for agents for service of process)

6. Other: List any other consumer protection features of the statutes or regulations that were not previously mentioned, including criteria relating to need, or provisions for state aid to private institutions.

During the abstracting, which continued uninterrupted through June of 1977, numerous telephone calls were made to state agency officials to clarify questions of interpretation or locate laws/regulations whose existence was revealed by a reference in an abstracted document. All calls were logged, in an effort to minimize the confusion that unavoidably occurred when return calls were not directed to the original caller. As new laws/regulations were obtained, they were catalogued and processed according to the previously described procedures.

At this time it was also decided not to abstract any laws/regulations that referred to the indirect licensing/approval of schools through state professional licensing boards, such as state boards of barber examining, cosmetology, or nursing. This decision was made because it became apparent that laws/regulations in this area rarely if ever contained any oversight of the institutional consumer protection policies and practices listed in Table 1, with the exception of detailed curriculum and program content standards. In addition, national surveys had recently been made of these state standards in many areas (see, for example, National Association of Barber Schools, 1976; Cosmetology Accrediting Commission, 1976; National League of Nursing, 1976).

The final result of our efforts was a massive set of abstracts, contained in Helliwell, McBain, and Wheeler (1977), which was then used for further analyses to describe and make comparisons of the existing coverage in state laws and regulations. Basically, these analyses consisted of first preparing detailed state-by-state charts of the coverage, administration, and enforcement categories (#'s 3, 4, and 5 in Table 2) for the laws/regulations governing private nondegree-granting and private, collegiate degree-granting institutions. It was felt that the amount of information contained in the abstracts for the public sector and the private sector with respect to junior colleges, seminaries, extension programs, external degree programs, and graduate programs did not contain enough substance to justify further detailed analyses.

In all detailed analyses, state laws and regulations were considered together rather than in isolation. In general, regulations tend to provide specific standards and criteria pursuant to broader statutory authority contained in law. Although there were some exceptions to this generalization, it did not seem useful to perform separate analyses on documents that, in practice, functioned together.

The detailed charts were then analyzed to produce state-by-state summary charts that constituted the primary results of this part of the study. The detailed charts are included in this report as Appendices. The overall summary charts are presented in the next report section on Results.

Survey of State Enforcement Mechanisms, Resources, and Desired Assistance Strategies

Clearly, even very strong laws and regulations cannot be effective in preventing or correcting institutional abuse of students if there are no mechanisms or resources for their enforcement. The second part of the study represented a concerted effort to gather state-by-state data on enforcement mechanisms and resources, plus desired strategies for assistance in improving the authorizing and oversight functions.

Presurvey activities. Presurvey activities involved identifying the respondent universe, developing and pretesting questionnaires, and securing forms clearance from the Educational Data Acquisition Council (EDAC) and the Office of Management and Budget (OMB).

The desired respondent universe constituted the chief administrator for each of the following types of state authorizing/oversight agencies.

(1) Licensing agency. Basically for the private sector, this type of agency grants educational institutions permission to operate as a school within a state (i.e., using educational rather than corporate standards). In some states, this licensing function is known as approval, registration, or accreditation. (It is different from corporate chartering, which merely involves the granting of a charter to establish a business. Heads of chartering agencies were not included in the respondent universe.)

(2) Degree-granting approval agency. For the private or public sector, this type of agency authorizes institutions to issue degrees. In some cases, degree-granting authority may also represent basic permission to operate a school, which constitutes licensing in our definition.

(3) Statewide governing agency. Basically for the public sector, this type of agency may "govern" collegiate institutions, junior or community colleges, vocational-technical institutes, etc. As previously mentioned, the "governing" function may range from complete authority through program approval to review and coordination.

A list of these agencies and their heads was compiled from the secondary sources mentioned on page 10. The initial list contained 200 names, including heads of 39 licensing agencies, 20 degree-granting approval agencies, 115 statewide governing agencies, and 26 "combination" agencies.

The initial draft Questionnaires for State Authorizing and/or Regulating Agency heads were contained in the Study Design and Analysis Plan (Hamilton et al., 1976). There were versions for licensing agency heads and degree-granting approval agency heads. These versions were reviewed by all Project Advisory Panelists and revised; the principal revision involved adding a third version of the questionnaire with wording appropriate for officials of public statewide governing agencies. The questionnaires were designed such that responses could be obtained via personal telephone interviews with respondents; this arrangement was intended to allow the collection of more complete and reliable data. Each version was pilot tested in telephone interviews with one experienced agency head[1] and further revisions were undertaken to sharpen wording and add a response classification system for all but a few open-ended items. The final version questionnaires and a supporting statement for OMB forms clearance action were submitted to USOE on 14 December 1976. Following a series of meetings at USOE in early 1977, additional documentation was prepared for EDAC in late March 1977. EDAC approval was obtained on 22 April 1977 and OMB clearance followed on 21 June 1977. No changes were made in the questionnaires as a result of the EDAC and OMB reviews; the final versions are included in this report as Appendices D, E, and F.

Conduct of the survey and data analyses. Copies of the appropriate questionnaire or questionnaires were sent out to the respondent universe on 1 July 1977, along with a review copy of our abstracts of the state's laws/regulations. The transmittal letter is included in Appendix B. A complete telephoning schedule was established to provide for a two hour interview with each respondent; respondents were asked to call AIR collect to change their scheduled time if it was inconvenient for them. Seventy interviews were rescheduled; 30 were combined with other interviews (i.e., one respondent answered for more than one agency); 30 initial respondents asked to be replaced by other respondents; there were only 8 flat refusals to participate and 7 were from the public sector, where the respondents doubted the applicability of the questionnaire to the governance situation in their state. In two cases, respondents asked for and were granted permission to complete the questionnaires and return them by mail rather than participate in a telephone interview.

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[1] The assistance of Mr. John Peterson, head of the California Bureau of School Approvals, Dr. C. Wayne Freeberg, head of the Florida Board of Independent Colleges and Universities, and Dr. Dan Marvin, former head of the Virginia Council of Higher Education, in these pilot tests is gratefully acknowledged.

Telephone interviews began on 18 July 1977. Four primary interviewers were trained in the use of an Interview Guide (which is included, with a summary of the obtained survey results, in Appendices L and M); a fifth interviewer stood by to handle reschedules and call-backs. By the time interviews were completed in late September, over 150 interviews had been conducted and data were gathered on 190 agencies: 88 with oversight responsibility for private institutions and 102 with governance responsibility for public institutions. The names and telephone numbers of all respondents are indicated in the Technical Addendum.

The first item of the questionnaires (Item A1) sought to insure that the agency did, in fact, exercise authorizing and oversight responsibility as we defined these terms. As a result of this item, six private agencies were identified as falling outside the desired respondent universe, and their interviews were terminated. This resulted in a final set of 184 agencies: 82 private and 102 public.

All telephone Interview Guide data that could be tabulated were entered onto computer files for editing and analysis. Responses to open-ended items were summarized. For the tabulated data, state-by-state printouts were prepared along with a summary chart (combined with a copy of the Interview Guide). All are included as Appendices to this report and are discussed in the next section.

Site Visits

Visits were conducted by project staff to the 20 sites listed in Table 3, including 19 states and the District of Columbia. States were selected on the basis of the following criteria:

(1) Geographical dispersion. At least one and no more than three states from each USOE region were selected.

(2) High population. Most states with large population centers, with the exception of Pennsylvania, were selected. Although Pennsylvania is one of the largest states, it was not visited because at the time selections were being made, the state legislature had not passed an appropriations bill, and agency officials were not sure they would be in their offices to receive visitors.

(3) Very high/low amounts of enforcement activity. Two states that reported the most enforcement activity in the telephone interviews and two states with no authorizing/oversight laws were selected.

The site visits were conducted to: (1) get estimates of the accuracy of the telephone interview data; (2) obtain more in-depth critical incidents (than

TABLE 3

SITES VISITED FOR IN-DEPTH INTERVIEWS

California
Colorado
Connecticut
District of Columbia
Florida
Illinois
Massachusetts
Minnesota
Missouri
Montana
Nebraska
Nevada
New Mexico
New York
South Carolina
Tennessee
Texas
Virginia
Wisconsin
Washington

were obtained by telephone) of successful and unsuccessful attempts to prevent or correct abusive or potentially abusive practices by postsecondary institutions; and (3) obtain the perspectives of different state agency officials on their needs for improved authorizing and oversight resources, barriers to obtaining those resources, possible techniques for surmounting those barriers, and possible assistance roles for the federal government.

A Site Visit Interview Guide (Appendix G) was prepared and appointments were scheduled for three interviewers with officials of the primary respondent universe plus legislators, attorneys general, and staff of postsecondary education coordinating (1202) commissions, VA state approving agencies, and consumer affairs offices. In all, 100 persons were interviewed during the site visits: 29 state licensing agency officials, 20 legislators, 21 staff of attorneys general and consumer affairs offices, 16 1202 commission staff, and 14 VA state approving agents.

RESULTS

This section is divided into several parts, each of which reports on one of the three major parts of the study for the private or public sectors. Discussion of these findings is withheld until the following section.

Review of State Laws and Regulations (Private Sector)

Basic coverage. One of the major issues this study sought to clarify was just the extent to which each state had passed laws and promulgated regulations to authorize and oversee private postsecondary institutions, without reference to the content of those laws and regulations. Table 4 presents a summary of the findings obtained from our analyses of the abstracts of state laws/regulations in effect as of 1 January 1977. This table has seven columns. The first two columns contain marks if a state has laws/regulations that cover the nondegree-granting and degree-granting sectors, respectively, for private postsecondary institutions. A mark in the third column indicates a state has a law/regulation that basically covers nondegree-granting schools but also apparently allows governance of degree-granting institutions, although it contains no degree-granting standards. Columns four through six indicate the types of degree-granting institutions that are covered by each state's degree-granting laws/regulations: (column four) traditional institutions generally, for example, resident two-year or four-year associate or bachelors degree-granting colleges; (column five) specifically defined institutions, for example, occupational and trade schools or business colleges that seek approval to award degrees; and (column six) unidentifiable types of institutions, representing insubstantial authorizing or oversight, for example, laws authorizing only the formation of a state governing board without specifying its duties. Marks in the seventh column indicate that new laws/regulations have been passed/promulgated since 1 January 1977. None of these new laws/regulations is abstracted; however, copies were obtained and filed for possible future reference.

Table 4 illustrates that 48 states[1] have some sort of state authorizing and oversight responsibility for nondegree-granting institutions (only Missouri, Utah, and Vermont do not), while 38 states have specific responsibility for degree-granting institutions and another five have laws governing nondegree-

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[1] In this tabulation and all other tabulations in this report, the District of Columbia will be treated as a "state," yielding an overall total of 51 "states."

TABLE 4

STATUTES AND REGULATIONS GOVERNING PRIVATE POSTSECONDARY INSTITUTIONS AS OF 1 JANUARY 1977

	Nondegree-Granting	Degree-Granting	Both Nondegree and Degree-Granting*	(For Degree-Granting) Traditional Institutions	(For Degree-Granting) Specifically-Defined Institutions	(For Degree-Granting) Insubstantial Laws/Regulations	New Laws/Regulations Since 1 Jan 1977
Alabama	X						
Alaska			X				X
Arizona	X						
Arkansas	X	X		X	X		
California	X	X		X			X
Colorado	X	X		X			
Connecticut	X	X		X			X
Delaware	X	X		X			
District of Columbia	X	X		X			X
Florida	X	X		X			
Georgia	X	X		X			
Hawaii	X	X		X			
Idaho			X			X	X
Illinois	X	X		X	X		X
Indiana	X	X			X		
Iowa	X					X	
Kansas	X	X		X			
Kentucky		X	X	X			X
Louisiana	X	X			X	X	
Maine	X	X		X			
Maryland	X	X		X			X
Massachusetts	X	X		X	X		

*No standards for degree-granting

Table 4
(continued)

	Nondegree-Granting	Degree-Granting	Both Nondegree and Degree-Granting*	(For Degree-Granting)			New Laws/Regulations Since 1 Jan 1977
				Traditional Institutions	Specifically-Defined Institutions	Insubstantial Laws/Regulations	
Michigan	X	X		X			
Minnesota	X	X		X			X
Mississippi	X	X		X			
Missouri							
Montana		X	X	X			
Nebraska	X	X		X			X
Nevada	X	X		X			X
New Hampshire	X	X		X			
New Jersey	X	X		X	X		
New Mexico	X						
New York	X	X		X			X
North Carolina	X	X		X			X
North Dakota	X						X
Ohio	X	X		X	X		X
Oklahoma	X	X		X			
Oregon	X	X		X			
Pennsylvania	X	X		X	X		
Rhode Island	X	X		X			
South Carolina	X	X			X		X
South Dakota			X				
Tennessee	X	X	X	X	X		
Texas	X	X		X			X
Utah							
Vermont		X		X			
Virginia	X	X		X	X		X
Washington	X						
West Virginia	X	X		X	X		X
Wisconsin			X				
Wyoming			X				

*No standards for degree-granting

granting institutions that may cover degree-granting institutions in certain circumstances.[1] Of the 38 states with specific statutory responsibility for private degree-granting institutions, by far the greatest number (35) exercise it for traditional collegiate institutions; 12 states also have laws/regulations for specialized schools that seek to grant degrees.

Nineteen states (37%) have enacted some form of new authorizing/oversight law or regulation since 1 January 1977. This appears to be a very high proportion; the possibility that it represents a trend for more activity in the area of institutional oversight by states is examined later in this section.

General licensing provisions for consumer protection purposes. In the private sector, state authorizing and oversight laws basically represent the exercise of a state licensing function, as this term is legally defined.[2] Although some state laws use the terms "approval," "registration," and "accreditation," which have different accepted meanings generally not connotating the power to limit entry, this merely reflects the basic right of state legislators to call the licensing function anything they please. The process of limiting entry is exercised in numerous ways. Some states require at least a provisional license to be awarded before a state business permit or corporate charter may be issued for any educational enterprise. In other states, the initial licensing process follows the establishment of corporate identity but is supposed to be a prerequisite to the offering of educational services. The requirements or standards that states impose represent their primary provisions for preventing or correcting institutional practices, policies, or conditions that are abusive to students. One of the major interests of this study is the content of these standards, and we have examined it at two levels: general and detailed.

Tables 5 and 6, on pages 23-28, represent a state-by-state summary of general statutory and regulatory provisions in the nondegree-granting and degree-granting sectors respectively. For nondegree-granting institutions, the following contents are indicated in the columns of Table 5:

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[1] Of these five, Alaska and Wyoming each have only one private degree-granting institution, Wisconsin exercises responsibility only over proprietary degree-granting institutions, and Idaho and South Dakota currently do not exercise the statutory authority they may have under these laws.

[2] Licensing refers to the practice of limiting entry into a field of endeavor to those individuals or organizations that pass certain standards, in this case standards set by the state.

(1) To what types of institutions do the laws/regulations apply? If the wording is general, are certain types excluded from their provisions?[1]

(2) Do the laws/regulations call for institutional licensure?

(3) Are permits (individual licenses) required for agents?

(4) Are surety bonds, to protect against institutional insolvency or to indemnify students in cases of violations, required of institutions? Of agents?

(5) Are there minimum standards prescribed for:

  a. curriculum?
  b. course work required before the award of educational credentials or graduation?
  c. faculty and administrative staff qualifications?
  d. instructional facilities and equipment?
  e. financial stability and maintenance of financial records?
  f. admission and/or student orientation requirements?
  g. disclosure of pertinent information to students?
  h. contents of enrollment agreements?
  i. advertising and student recruiting practices?
  j. qualifications of solicitors or sales agents?
  k. use of educational terms such as college or university?
  l. contents and maintenance of student records?
  m. practices for the award of financial aid to students?
  n. the refund of tuition and fees upon cancellation of enrollment or withdrawal?
  o. job placement and follow-up of former students?

(6) Are on-site inspections required?

(7) If licenses must be renewed, how frequently?

(8) Are there provisions for denial of licenses and/or revocation of a license, once it has been issued?

(9) Are there provisions for the enforcing agency to seek injunctions and cease and desist orders in the case of violations?

(10) What types of special provisions are there for extending the laws/regulations to (a) out-of-state based institutions that seek to enter the state and/or (b) non-traditional instructional programs?

For degree-granting institutions, similar contents are indicated in the column headings of Table 6. For some states, we have indicated in place of a summary of consumer protection provisions that the states "use accreditation agency standards." This means they have chosen to reference the standards of a private accreditation agency rather than detail their own standards in law. These accreditation standards were not abstracted. We will examine the important relationship of accreditation to state licensing in greater detail later in

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[1] This column does not provide sufficient space to discuss the wide range of inclusions and exclusions contained in state laws; accreditation exclusion provisions are mentioned; other common forms of exclusions, such as religious, avocational, eleemosynary institutions, institutions regulated by other state licensing boards (e.g., cosmetology and barbering boards), and degree-granting institutions are not mentioned. See the subsection on institutional coverage in the next section of the report for a discussion of this complex issue.

TABLE 5

LAWS/REGULATIONS GOVERNING PRIVATE NONDEGREE-GRANTING INSTITUTIONS AS OF 1 JANUARY 1977

				Bonding		Requirements or Standards regarding:																				
State	Applicable Inst/Block Exclus	Approval or Licensure of Institution	Permits for Agents	Inst	Agent	Curriculum	ed. cred./ graduation	faculty and admin staff	facilities and equipment	inst. financial stability, fin. records	student qualifications and orientation	disclosure in public info documents or to students	contents of enrollment agreements	advertising and sales recruiting practices	minimum qualifications of agents	use of terms (e.g., "college" or "university")	student records	financial practices, e.g., tuition, loans, scholarships &/or fin. aid	cancellation and refunds	placement	Inspections required	Renewal	Denial	Revocation	Other enforcement strategies (e.g., injunctions)	Special provisions for out-of-state institutions and non-traditional programs
AL	accredited schools are deemed in compliance with standards	X	X	X	X	X	X	X	X	X		X	X	X			X		X			annually	X	X	X	agents' permits required, schools must qualify, spec. req'ts for correspondence institutions
AK	accreditation may be accepted as evidence of compliance with standards	X	X		X	X	X	X	X	X		X		X	X	X	X	X	X				X	X	X	agents' permits required; schools must submit info.
AZ	applies to technical and business schools	X	X	X		X	X	X	X	X		X	X	X	X		X			X		annually	X	X	X	agents pay a greater license fee and must be bonded, schools must be inspected
AR	accredited schools are exempt from some standards	X	X	X		X	X	X	X	X	X	X	X	X	X		X	X	X	X		licenses & permits annually	X	X		out-of-state schools must be accredited and approved in home state; spec req'ts for corres.
CA	accredited inst or programs are exempt if certain affidavits are filed		X		X	X	X	X	X	X		X	X	X	X		X		X			annually	unclear		X	spec provisions for correspondence courses
CO	act regulates private vocational schools	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			--	X	X	X	agents of out-of-state schools must renew permits more frequently, lists of students enrolled in courses must be maintained
CT	private occupational schools operated for profit are regulated; corres schools included	X				X	X	X	X	X	X	X	X	X	X		X	X		X		annually	X	X		
DE	private business and trade schools including corres schools are regulated; schools approved under another law prior to 1972 are exempt; on-site eval. of an accred. school or one approved by another state agency may be waived	X	X	X				X	X	X			X	X	X			X	X		in certain cases	annually	X	X		agents of out-of-state schools must have permits
DC	proprietary schools offering courses for personal improvement or employment are covered	X	X	X	X					X			X	X					X			annually	X	X		agents of out-of-state schools must have permits
FL	vocational, technical, trade & business schools are covered; schools accredited by a recognized agency or those operating in FL for 20 years are deemed in compliance if they make annual reports	X	X			X	X	X	X	X	X	X	X	X			X	X	X	X		annually	X	X	X	agents of out-of-state schools must have permits
GA	profit making schools which do not award BA's are covered; accreditation indicates compliance with standards	X	4	X		X	X	X	X	X	X	X	X	X	X		X		X		X	annually	X	X	X	schools which solicit in Georgia must comply
HI	private trade, vocational or technical schools are covered	X	X	X		X	X	X	X	X		X	X	X			X	X	X		X	annually	X	X		
ID	unclear; "correspondence and other private courses" accredited (by Board & "regionally" ?) are exempt	X	X		X									X					X			annually	X	X	X	special service of process requirements for out-of-state schools
IL	private business or vocational schools are covered	X	X	X	1	X	X	X	X	X	X	X	X	X	X		X	X	X	X	6	annually	X	X	X	foreign corporations must be approved
IN	private schools in occupations are covered; inspections may be waived for schools accredited by an approved agency or approved by a state agency with req'ts like IN	5	X	X	X		X	X	X	X			X	X	X		X	X	X		X	annually	X	X	X	accreditation is required; inspection may be waived for schools in states with reciprocal agreements
IA	degree-granting colleges & universities & accredited private business schools are among exemptions			6	1					1		X		X				X								
KS	schools accredited by USOE-recognized agencies may be issued certificates without further evidence; proprietary (profit-making) schools are covered	X	7	X	X	X	X	X	X	X		X		X			X	X	X		if school is not accredited	2 yrs	X	?	X	out-of-state schools must obtain certificates and register agents
KY	proprietary schools, defined as those offering training in business, trade, technical, industrial or related areas, are covered	X	X	X	X	X	X	X	X	X		X		X	X		X		X			annually	X	X		
LA	schools accredited by USOE-recognized agencies need not file all info req'd; proprietary schools (profit & nonprofit) are covered	X	X	X	X			X	X	X		X		X					X			annually	X	X		

1 - may be required

2 - covered by school bond

3 - course approval only

4 - schools must issue ID cards to agents

5 - accreditation by state

6 - perhaps

7 - agents must register

* initial license and permit 2 years; license renewal up to 5 years

** certificate of approval lasts 3 years; in-state agent's permit is the same

Table 5 *(continued)*

State	Applicable Inst/Block Exclus	Approval or licensure of institution	Permits for Agents	Bonding		Requirements or Standards regarding:															Inspections required	Renewal	Denial	Revocation	Other enforcement strategies (e.g., injunctions)	Special provisions for out-of-state institutions and non-traditional programs
				Inst	Agent	Curriculum	ed. cred./graduation	faculty and admin staff	facilities and equipment	inst. financial stability, fin. records	student qualifications and orientation	disclosure to public and documents or to students	contents of enrollment agreements	advertising and sales recruiting practices	minimum qualifications of agents	use of terms (e.g., "college" or "university")	student records	financial practices, tuition, loans, scholarships &/or fin. aid	cancellation and refunds	placement						
ME-1	private business, trade, vocational or technical schools are covered	X	7	X																		annually				
ME-2	correspondence schools are covered		8		8								X		X				X			annually		X		permits required of agents of out-of-state schools
MD	the 2 laws here seem to cover all private postsecondary institutions in state, regulations apply to specialized institutions	9				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X		lack of proper authority of resident agent for an out-of-state school is reason for denying or revoking school's certificate of approval
MA-1	private business schools are covered	X	X	X	X	X	X		X	X		X		X	X		X	X				annually	X	X	X	
MA-2	private trade schools are covered	X						X		X				X		X						annually	X	X	X	
MA-3	private, profit-seeking trade, vocational, technical, correspondence, dance, and professional schools are covered												X						X						X	
MI	private trade schools, including correspondence schools are covered	X	X	X	X	X	X	X	X	X	X	X	X	X			X		X			reports required annually		X		agents of out-of-state schools must obtain permits; schools must obtain cert. of compliance for permit to be issued
MN	private business, trade, and correspondence schools defined by exemptions are covered	X	X	X	X	X		X	X	X	X	X	X	X		X		X	X	X		annually	X	X		out-of-state schools must comply
MS	applicable schools defined by exemptions, proprietary schools and colleges are covered	X	X	X	X	X		X	X	X				X	X						X	every 2 years	X	X	X	out-of-state degree granting schools may be regulated
MO																										
MT	covers both degree and nondegree institutions but exempts accredited institutions; accred. may also be used to indicate compliance	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X			annually	X	X	X	info on the school must be submitted with applications of agents of out-of-state schools
NE	privately owned correspondence, business and trade schools are covered	X	X	X	X			X	X	X		X		X	X		X		X		X	annually	X	X		out-of-state schools must comply and also be approved in home state
NV	private postsecondary inst. are covered; degree-granting inst. must be accredited; accred. may be accepted as evidence of compliance with standards	X	X	X	X	X	X	X	X	X		X	X	X		X	X	X	X		X	at least every 2 years	X	X	X	out-of-state schools with agents seeking permits must submit licensure info and comply with law and regulations
NH	private, commercial, trade, or "other schools are covered"	X	12	X		X		X	X	X		X	X	X					X			annually	X	X		special requirements for agents of correspondence schools
NJ	private vocational schools are covered	X		7		X		X	X	X	X	X	X	X	X	X	X	X	X			annually	X	X		out-of-state corporations must procure a special certificate prior to approval
NM	academic higher education inst. are exempted but must furnish evidence of exemption	X	X	X		X	X	X	X	X	X	X	X	X			X	X	X	X		annually		X		separate laws and regs for out-of-state schools and their agents
NY-1	private schools charging tuition must be licensed, private business schools must be registered	X	X	7	X	11		X	X	X	X	X	X	X			X	X	X			annually	X	X	X	
NY-2	mainly out-of-state institutions are covered	8																								authorizes registration and fixing value of ed cred. offered by out-of state institutions
NC	private business, trade or correspondence schools are covered	X		X		X	X	X	X	X	X	X		X			X					annually	X	X		
ND	private trade, industrial, vocational, technical, business or correspondence schools are covered; schools must be accredited	X	X		X	10		10	10	10			10	10					X			annually	X	X		special provisions for out-of-state correspondence schools
OH	cov. inst. are defined by exclusion; traditional colleges and univ. are not covered	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			every 2 years	X	X	X	special requirements for out-of-state schools and agents are given, also includes special standards for correspondence schools

7 - may be required
8 - out-of-state only
9 - the laws

10 - of correspondence school only
11 - approval of curriculum required
12 - approval required

Table 5 *(continued)*

State	Applicable Inst/Block Exclus	Requirements or Standards regarding:		Bonding																						
		Approval or Licensure of Institution	Permits for Agents	Inst	Agent	Curriculum	ed. cred./graduation	faculty and admin staff	facilities and equipment	inst. financial stability, fin. records	student qualifications and orientation	disclosure in public info documents or to students	contents of enrollment agreements	advertising and sales recruiting practices	minimum qualifications of agents	use of terms (e.g. "college" or "university")	student records	financial practices, tuition, loans, scholarships &/or fin. aid	cancellation and refunds	placement	Inspections required	Renewal	Denial	Revocation	Other enforcement strategies (e.g., injunctions)	Special provisions for out-of-state institutions and non-traditional programs
OK	private schools offering instruction in business, professional, trade, technical or industrial occupations are covered; minimum standards do not apply to accredited schools	X	X	X	14	X	X	X	X	X	X	X	X	X	X	X	X	X	X			annually	X	X		out-of-state schools must be accredited and meet requirements
OR	vocational schools are covered, evidence of compliance with standards not required for schools accredited or licensed by another state if similar standards are used	X	X	X	X	X	X	X	X	X	19	X	X	X	X		X	X	X	X		annually	X	X		agents must have permits and must give evidence school meets standards if it is not licensed, different req'ts for contracts and bonds, special requirements for correspondence schools
PA-1	private business schools are covered	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X			annually	X	X		agents must be licensed, schools must be approved
PA-2	all educational institutions calling themselves "college" or "university" are covered															X									X	
PA-3	private trade schools are covered	X		X	14	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X		out-of-state schools must be approved for agents to obtain licenses
PA-4	private correspondence schools are covered	X	X			X		X	X	X	X	X	X	X	X		X	X	X			annually	X	X	X	out-of-state schools must be approved for agents to obtain licenses
RI-1	proprietary schools are covered by regulations, refund policies of accredited schools are accepted	X		X		X	X	X	X	X	16	X		X			X	X	X			annually	X	X		
RI-2	correspondence schools are covered by regulations, regionally or nationally accredited institutions are exempt	1	X		16								X	X				X				annually	X	X		agents of out-of-state schools must have permits
SC	proprietary schools defined by exemptions are covered, refund policies of accredited schools or those from states with required ref. policies will be accepted, correspondence schools are covered	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X		X		X	annually	X	X		special stds for corres. schools, unaccredited, out-of-state schools not inspected by a state agency must be inspected, concern with branch facilities
SD	accredited inst. are exempt, TA-approved schools are exempt	X	X	X	X	X		X	X	X		X	X	X	X				X			annually	X	X		agents of out-of-state schools must obtain permits
TN	both degree- & nondegree-granting inst. are covered, accredited degree-granting inst. are exempt, accred. may be accepted as compliance with standards	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	annually	X	X	X	applications for permits of out-of-state inst. must include info on inst., bond & fee not required of agents of in-state schools
TX	proprietary schools are covered	X	X	X	X	X	X	X	X	X	16	X	X	X	X		X	X	X			annually	X	X	X	
UT																										
VT	agents of correspondence and trade schools must be licensed, agents of accredited schools are exempted from bonding requirements		X		X						X			X								annually		X		agents of out-of-state schools are covered
VA	trade or technical schools, business and correspondence schools are covered	X	X	X		X		X	X	X		17	X	X			X	X	X	X	X	annually	X	X		agents of out-of-state schools must obtain permits; special requirements for catalogs of out-of-state schools
WA	proprietary schools for business, trade, technical, professional or industrial occupations are covered; accredited schools are exempt; state accred. voc. schools are exempt	X	X			X	X					X		X	X				X			annually				
WV	agents of accredited schools are exempt; agents of certain business schools are exempt	20	X		X								X	X	X				X			annually				
WI	proprietary sch. with voc. objectives are covered whether or not they grant degrees, accredited schools may be exempted	X	X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	X	X	annually	X	X	un-clear	agents of out-of-state schools must obtain permits
WY	trade, corres., technical, voc., business or other private schools (inc. degree-granting) are covered	X	X	X		X	X	X	X	X		X	X	X			X		X			fees paid annually	X	X	X	out-of-state schools must be licensed and agents must have permits

1 - may be required

12 - agents must be covered by school bonds

14 - for correspondence schools

15 - for agents of out-of-state institutions only

16 - entrance requirements must be submitted and approved

17 - must be approved in order to solicit

19 - entrance requirements must be approved

20 - see last column

21 - exempt schools must have authorization to solicit

TABLE 6

LAWS/REGULATIONS GOVERNING TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS AS OF 1 JANUARY 1977

State	Basic Requirements	Requirements or Standards regarding:																	Renewal/Provisional Approval	Block Exclusions	Revocation	Out-of-State Institutions
		Bonding																				
		Inst	Agent	curriculum	ed. cred/graduation	faculty and admin staff	facilities & equipment	inst. financial stability, fin. records	student qualifications and orientation	disclosure in public info documents or to students	contents of enrollment agreements	advertising and sales recruiting practices	minimum qualifications of agents	use of terms (e.g. "college" or "university")	student records	financial practices, tuition, loans, scholarships and/or financial aid	cancellation and refunds	placement				
AL, AK, AZ																						
AR	Requires certification and incorporation to establish a private degree-granting institution. Requires non-degree-granting institutions to receive certification prior to granting degrees.					X	X	X	X	X		X						X	Renewal required every 2 years, certification may be granted in 3 stages.	Colleges operating prior to 1975 are exempt.	Occurs for conferring degrees without requiring sufficient work or violation of law or regulations.	Requires certification prior to offering degree courses.
CA	Sets requirements for awarding degrees. (Regulations appear to apply only to certain schools. They were not included here.)			Uses accreditation standards															Initial approval is for 1 year, renewal is for 3 years.	Institutions filing 500,000 property affidavit are exempt.		
CO	Prohibits awarding of degrees except by specified institutions.																					
CT	Requires licensure (initial authorization for a specified period) and state accreditation (authorization to continue) to operate, confer degrees or use terms like "college" or "university."			X	X	X	X	X	X	X		X			X	X			Periodic re-accreditation required depending upon status, either every 2 or 3 years or every 5 or 10 years. Changes in ownership require reaccreditation.	Accreditation may be accepted in satisfaction of requirements. Status prior to 1965 continues.	Failure to comply results in removal from list and publication of such action.	Requires approval of plans to offer instruction in-state. Institutions must be accredited in home state.
DE	Requires certificate of incorporation to be endorsed with approval to grant degrees.			X	X	X	X	X	X	X					X	X			Full approval lasts up to 5 years. Two other statuses last for shorter periods.	Corporations organized prior to 1945 must receive approval to amend certificates.		
DC	Requires institutions to obtain a license to confer degrees.			X	X	X	X	X	X	X		X							Initial licensure is provisional for 3 years. Periodic reports are required.		Occurs for noncompliance.	Requires licensure of out-of-state institutions.
FL	Requires a license to operate or establish a nonpublic college. Requires agents of in- or out-of-state colleges to be licensed. Restricts use of terms.			X		X	X	X	X	X		X	X	X	X		X		Licenses are permanent but must be renewed annually. Provisional approval may be granted for 1 year.	Public colleges and accredited colleges chartered in Florida are exempt.	Occurs for cause or violation of rules.	Only FL chartered institutions are exempt. Agents of out-of-state institutions must be licensed.
GA	Requires a certificate showing standards are met before charter to grant degrees is awarded. There are separate regulations for colleges and junior colleges.			*X	X	X	X	X	X						X				Information must be filed every 3 years in order for a school to remain on the approved list.		Failure to file information is cause for removal from the approved list.	
				**X	X	X	X	X	X						X							
HI	Requires schools to be licensed to grant degrees. Restricts use of terms.				X									X					Annual renewal required. Temporary permits issued until institution is accredited.		Temporary permits may be revoked. Licenses become invalid if accreditation is lost.	
ID																						
IL	Requires a certificate of approval to operate a private college, junior college, or university.			X		X	X	X				X			X	X				Accredited institutions established before law and which file catalog and information are exempt.	Occurs for violations, failure to comply and fraudulent conduct.	
IN, IA																						
KS	Requires corporations to obtain approval before conferring degrees.			X		X		X														
KY	Requires private colleges which award degrees or diplomas to hold a license. Restricts use of terms "college" or "university" to licensed institutions.	X	X	X	X	X	X	X	X	X		X		X	X	X	X		Renewal is required every 5 years or less, new colleges may be granted licenses upon evidence, they may be expected to meet standards.	Accredited colleges shall be presumed to be in compliance with licensure requirements.	Licenses may be revoked for several reasons.	Requires licenses of out-of-state institutions offering courses in KY.
LA																						
ME	Requires authorization of Legislature to confer degrees. Requires license or certificate of temporary approval to use terms "college" or "university" if not authorized.		Uses accreditation standards											X					Temporary approval is possible.	Institutions with "college" or "university" in title prior to 1957 may continue to use terms.		
MD-1	Special requirements given for nonresident schools. Requires degree-granting institutions to file notices 1 year before granting degrees. Notices must be approved.					X									X					Accredited schools need not file or be inspected.	Occurs for failure to permit examination.	
MD-2	Requires all postsecondary institutions to obtain certificates of approval. Requires approval of conditions to award degrees or diplomas.			*X	X	X	X	X	X	X		X				X			Evaluations are made every 5 years. Provisional approval is possible.		A deficient institution may be ordered to cease operation.	
				**X	X	X	X	X	X	X		X				X						
MA	Requires approval for certificate of organization or amendment to charter for use of terms or power to grant degrees.													X					Periodic inspections are made during first 12 years.		Power to grant degrees may be revoked.	

* Standards for 2-year colleges

** Standards for 4-year colleges

Table 6 (continued)

Requirements or Standards regarding:

State	Basic Requirements	Bonding: Inst	Bonding: Agent	curriculum	ed. credit/graduation	faculty and admin staff	facilities & equipment	inst. financial stability, fin. records	student qualifications and orientation	disclosure to public and students or to students	contents of enrollment agreements	advertising and sales recruiting practices	minimum qualifications of agents	use of terms (e.g. "college" or "university")	student records	financial practices, tuition, loans, scholarships and/or financial aid	cancellation and refunds	placement	Renewal/Provisional Approval	Block Exclusions	Revocation	Out-of-State Institutions
MI	Requires educational corporations to meet standards prior to filing their articles of incorporation. Sets financial requirements for use of terms. Authorizes standards for institutions not incorporated.			X		X	X	X						X					Annual reports required.		Proceedings for dissolution of a corporation may be instituted.	
MN	Requires degree-granting schools to register and to obtain approval before granting degrees. Limits use of terms.	I										X		X					Registration occurs annually.			Out-of-state schools may be required to register.
MS	Requires preparation of a list of approved junior and senior colleges and universities. Requires unauthorized institutions to be approved to grant degrees or diplomas.		Uses accreditation standards																			
MO																						
MT	Requires approval of adequacy of course prior to issuing degrees.																			Institutions accredited by recognized agencies are exempt.		
NE	Requires approval to establish a new 2- or 4-year private college.																					
NV	Requires licensure of postsecondary educational institutions and permits for agents. Restricts authority to grant degrees. Sets some special standards for degree-granting institutions.	X	X	X	X	X	X	X		X	X	X		X	X	X	X		Licenses are renewed every 2 years; provisional licenses may be issued.	Accreditation may be accepted as compliance with standards.	Licenses may be revoked or made conditional.	Permit applications for agents representing schools without NV license must include information required for a license.
NH	Requires consent for incorporation of institutions of higher learning.													X		X				Institutions using terms prior to 1965 may continue.	The Legislature may take action.	Branches of out-of-state institutions must be state accredited.
NJ	Requires licensure of degree-granting institutions, approval of the basis or conditions under which they grant degrees, and approval of their names.			X	X	X	X	X	X	X		X		X	X	X					Approval may be revoked for cause.	Same procedures and standards apply.
NM																						
NY-1	Requires registration of domestic and foreign institutions. Authorizes Regents to fix values of educational credentials granted by out-of-state institutions.																					See basic requirements.
NY-2	Requires registration of graduate and undergraduate curricula. Restricts use of terms.			X	X	X	X	X	X	X					X							
NY-3	Requires institutions to incorporate and receive a charter from the Regents before conferring degrees.				X		X	X				X		X	X						Charters may be revoked, corporations dissolved, etc.	
NC	Requires licensure of non-public colleges to confer degrees. Two-year degree authority is not included.			X	X	X	X	X		X		X	X		X	X	X		Licenses are renewed every 2 years. Provisional licensure is valid for 2 years.	Accreditation may be accepted as evidence of compliance with standards.	Occurs for failure to meet standards.	Institutions chartered in another state must have NC certificate of authority to conduct affairs.
ND																						
OH	Requires private colleges and universities to receive certificates of authorization. Restricts use of terms.				X	X	X	X				X		X					Annual reports are required.	Institutions established prior to 1967 are exempt.	Occurs for cause.	
OK	Requires either state or regional accreditation. Permits granting of only authorized degrees. States policies and procedures for state accreditation of new or existing higher education institutions.			X			X			X						X			Accreditation is reviewed periodically.	Institutions existing prior to 1965 and regionally accredited institutions are exempt.		
OR	Requires institutions to obtain approval prior to advertising, or conferring degrees.			X	X	X	X	X	X	X		X							Approval period may not exceed 5 years.	Institutions accredited by Northwest Association are exempt.	May occur for failure to meet standards.	Out-of state institutions accredited by Northwest are not under purview. Others must designate in-state agent and meet standards.
PA-1	Requires institutions to meet standards before using terms.													X						Institutions operating prior to 1937 are exempt.		
PA-2	Requires approval prior to incorporation as a degree institution. Sets separate standards for junior colleges, colleges, and universities.	* ** ***		X X X	X	X X X	X X X	X X X	X X X	X X X								 X X	Provisional approval is granted until final approval is warranted.		Occurs for failure to maintain standards.	Requires foreign corporations to obtain approval prior to operation in PA.
PA-3	Requires institutions without charter authority to award honorary degrees to obtain approval prior to doing so in each individual case.					X															Includes procedures for revocation.	
RI	Requires approval to establish educational institutions or to transact business. Requires authorization to award degrees.			X	X	X	X	X	X	X		X			X			X	Annual registry is required.		May occur for cause.	
SC, SD																						

I - may be required

* Standards for junior colleges

** Standards for colleges and seminaries

*** Standards for universities

Table 6 (continued)

State	Basic Requirements	Bonding		Requirements or Standards regarding:															Renewal/Provisional Approval	Block Exclusions	Revocation	Out-of-State Institutions
		Inst	Agent	curriculum	ed. cred/graduation	faculty and admin staff	facilities & equipment	inst. financial stability, fin. records	student qualifications and orientation	disclosure in public info documents or to students	contents of enrollment agreements	advertising and sales recruiting practices	minimum qualifications of agents	use of terms (e.g., "college" or "university")	student records	financial practices, tuition, loans, scholarships and/or financial aid	cancellation and refunds	placement				
TN	Requires institutions to meet minimum standards and obtain authorization to operate and grant degrees. Requires agents of out-of-state institutions to obtain permits. Prohibits use of terms without authorization.			X	X	X	X	X	X	X	X	X	X	X	X	X		X	Permits and licenses are good for 1 year or less. Provisional and conditional authorization are possible.	Degree-granting institutions which are regionally accredited are exempt. Accreditation by a COPA member may be accepted as compliance.	Occurs for violation of Act or rules.	Agents of out-of-state institutions must have permits and institutions must submit information.
TX	Requires a certificate of authority to grant degrees, enroll students, or use terms. Requires registration of agents.			X	X	X	X	X		X		X	-	X	X	X	X		Certificate is valid for 2 years. Agents' certificates valid for 2 years.	Institutions accredited by a recognized agency are exempt.	Certificates, agents' certificates and exempt status may be revoked.	
UT																						
VT	Requires certification when incorporating to use terms or grant degrees. Permits only non-profit institutions to grant degrees.			X		X	X	X	X	X									Initial certification expires in 2 years. Agents' certificates valid for 2 years.	Institutions existing prior to 1967 are exempt.		Does not apply to accredited out-of-state institutions which file articles.
VA-1	Requires approval to confer degrees. Restricts use of terms.			X	X	X	X	X	X	X				X					Approval is granted in stages and remains in effect with accreditation.	Regional accreditation reports may be submitted instead of application forms. Schools using terms prior to 1970 may continue to do so.	See renewal/provisional approval.	
VA-2	Requires out-of-state institutions offering courses or degree programs in VA to register and obtain authorization.											X							Registration and authorization are done annually.		Occurs for violations.	Out-of-state institutions must be accredited.
WA																						
WV	Requires higher education institutions to meet standards and obtain approval of the conditions for conferring degrees before charter is awarded.			Uses accreditation standards															Full accreditation lasts 5 years, provisional accreditation lasts 1-4 years.	In-state institutions chartered prior to 1971 are exempt.		See basic requirements.
WI, WY																						

the Discussion and Conclusions section of this report.

Tables 5 and 6 are based on each state's basic licensing law and associated regulations. In several cases (e.g., Massachusetts, New York, Pennsylvania) different laws refer to different types of private schools; these laws are separated by dotted lines.

Detailed licensing provisions for consumer protection purposes. Tables 7 and 8 on pages 30-46 contain detailed provisions of state laws/regulations in 13 separate consumer protection categories for the nondegree-granting and traditional degree-granting sectors respectively. All provisions that appear in the laws/regulations of three or more states are listed in Tables 7 and 8, which can be used in conjunction with Appendices H, I, J, and K. The first two appendices (H and I) contain state-by-state charts showing which states have the provisions listed in Tables 7 and 8 (and provisions unique to one or two states as well). The latter two appendices (J and K) contain actual sample language representative of the more common provisions asterisked in Tables 7 and 8.

Further analyses of refund policies. Section L in Table 7 shows that for nondegree-granting institutions the minimum, state-required refund provisions for students in the event of cancellation of enrollment or withdrawal are exceedingly complex, with considerable variation among the individual states. A state-mandated refund policy is viewed by some consumer advocates (e.g., FTC, 1976) as one of the primary mechanisms for providing improved protection. By withdrawing, students can presumably prevent an abusive institution from profiting if they can obtain a significant tuition and fee refund. Therefore, we performed a further analysis of refund policies. The analysis was based on the refunds that would be obtained in each state by five imaginary students who preenroll one month in advance and prepay $1000 tuition for a 20-week course. Student A cancels out 12 hours after signing the enrollment contract; student B cancels out one day before the beginning of classes; student C withdraws one week after classes start; student D withdraws two weeks after classes start; and student E withdraws eight weeks after classes start. Table 9 contains the results of this analysis. Average refunds for the five students ranged from $0 in 10 states to over $800 in 12 states.[1] In the eight states where laws/regulations allow accredited schools to use the minimum refund policy of their accreditation

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[1] Two of the three states without laws in this sector are omitted from this analysis. Vermont, which has provisions only for licensing sales agents, is included.

TABLE 7

DETAILED PROVISIONS OF STATUTES AND REGULATIONS GOVERNING PRIVATE NONDEGREE-GRANTING INSTITUTIONS[1]

A. Institutional purpose, governance, operation, and organization

12 states require that a school's practices be ethical, not deceptive or fraudulent, legitimate, or in accordance with the intent of the law.*

14 states limit a school's commercial activities either by regulating the sale of students' work or by prohibiting unfair competition with private businesses.*

4 states require a school to state its goals, philosophy or objectives.

2 states require practices that contribute to the accomplishment of the school's stated purposes.

2 states have language dealing with governance or administrative positions.

B. Course length, content, goals or objectives

10 states require courses, curriculum, or instruction to be consistent with vaguely defined standards.*

15 states require courses, curriculum, or instruction to enhance the employability of students.*

6 states require courses or materials to conform to occupational standards.*

18 states require instruction to be adequate to reach the objectives of the course.*

2 states require the courses to be adequate to provide training or education to students.

7 states require statements of objectives for courses.

5 states require instruction in safety or hygiene if appropriate.

4 states set minimum time requirements for training.

3 states require courses to be organized on a systematic basis.

C. Degrees, diploma, credential, or graduation requirements

23 states require institutions to issue some kind of educational credential.*

3 states set minimum requirements in time for educational credentials other than degrees (e.g., diplomas, certificates).

3 states require schools to be approved to issue certificates or diplomas.

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[1] Asterisks in this table indicate that sample language is included in Appendix J. References to #'s (e.g., see #10) are to detailed state coverage charts found in Appendix H.

Table 7 *(continued)*

D. Staff

31 states require adequate and/or sufficient personnel.*

26 states require school personnel to be of good moral character.*

28 states require adequate education and/or work experience qualifications.*

24 states have special requirements for a school's director.*

3 states require owners to have a record of business integrity and ethical practices.

3 states require applicants to be mentally competent and not addicted.

8 states evaluate and/or approve individual faculty members.*

†8 states license or credential instructors.*

†21 states have specific educational requirements for instructors.*

†22 states require appropriate work experience of instructors.*

8 states require instructors to be licensed in their field if this is required for employment in the field.

†10 states require instructors to have training in teaching or teaching experience.

5 states require instructors to be citizens and/or 21 years of age.

10 states require instructors to remain current or develop professionally.*

6 states require that school personnel have not been convicted.*

2 states have requirements regarding the health of personnel.

6 states require special qualifications of teachers in specific fields.

14 states include student/teacher ratio or class size requirements.*

3 states restrict the number of part-time instructors.

2 states restrict the number of hours a teacher may teach.

1 state requires a percentage of courses to be taught by persons with special qualifications.

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†Various alternatives are available. All requirements may not apply in each case.

Table 7 *(continued)*

E. Facilities

31 states require adequate space, equipment, and/or instructional materials.*

37 states require compliance with laws or standards related to health or safety.*

11 states require student housing to be adequate and safe, or conform to laws or ordinances.*

23 states prohibit schools from exceeding enrollment or facilities limits or require an adequate quantity of materials or equipment.*

12 states require equipment and materials to be suitable, appropriate, or proper.*

5 states require equipment and/or texts to be up-to-date.*

8 states require training equipment to be similar to that used in occupational practice.*

3 states require safety devices on dangerous equipment.

4 states include standards relating to the school's library.*

11 states require inspection and/or approval of facilities by a state educational agency.

7 states require inspection by another agency(ies) (e.g., health department, fire department).

4 states require housing and/or training space to conform to good school practice or standards.

F. Financial stability

25 states require institutions to be financially sound or stable.*

26 states require adequate resources or finances.*

31 states require institutions to submit a financial statement.*

11 states require that this statement be audited or prepared by a C.P.A. or independent accountant.*

4 states grant authority to require interim financial statements.*

3 states require maintenance of financial records.*

Table 7 *(continued)*

F. Bonding

36 states require institutions to be bonded.

4 additional states may require bonding.

27 states require agents to be bonded.

1 additional state may require this.

20 states require bonds of a standard amount of $10,000 or less.

8 states require bonds of a standard amount greater than $10,000.

8 states require bonds in amounts that vary according to the amount of prepaid tuition collected by the school or the number of students it enrolls.*

9 states grant authority to reduce bond amounts in special cases.*

13 states permit institutions to substitute other securities for bonds.

19 states require agent's bonds of less than $5,000.

7 states require agent's bonds of $5,000 or more.

6 states require institutional bonds to cover agents.

15 states permit institutions to furnish blanket bonds covering all agents.

2 states prohibit continuous bonds.

G. Qualifications of potential students and orientation of entering students

8 states require that schools adopt entrance requirements.*

10 states require that entrance requirements reflect students' ability to complete training (see #'s 3, 6, and 7).*

5 states require that schools accept only those students who meet entrance requirements.*

6 states require that schools be prepared to defend accepting students who do not meet entrance requirements.*

3 states require schools to determine that students possess no handicaps that would prevent job performance.*

2 states specifically do not require high school diplomas.

7 states require such a diploma or its equivalent, at least for certain courses.

6 states prohibit high school students from attending regulated schools unless certain conditions are met.

10 states prohibit discrmination.

Table 7 *(continued)*

H. Public disclosure (means)

28 states require that certain information be included in the catalog or bulletin.*

32 states require that certain information be included in enrollment agreements or contracts.*

24 states require that information be given to or explained to prospective students prior to enrollment.*

14 states require that information be given to or explained to students upon enrollment.*

20 states require that specific types of information be published, posted, or made available.*

13 states require that the student receive a copy of the enrollment agreement or contract.

5 states require that course lists in catalogs be up to date.

3 states require that catalog references to certain items be specific.*

8 states permit supplements to the catalog providing conditions are met.

7 states require that schools use enrollment agreements and/or application forms.

12 states require schools to provide students or prospective students with a catalog or brochure.

H. Public disclosure (content)

16 states require disclosure to the public regarding a school's governing body and/or owners.*

12 states require disclosure to the public regarding a school's faculty and/or administration.*

36 states require disclosure to the public regarding a school's curriculum.*

22 states require disclosure to the public regarding a school's admission requirements.*

25 states require disclosure to the public regarding a school's grading system, or performance requirements.*

18 states require disclosure to the public regarding a school's calendar.*

14 states require disclosure to the public regarding a school's diploma, degree, certificate or completion requirements.*

42 states require disclosure to the public regarding a school's tuition charges.*

Table 7 *(continued)*

I. Advertising or sales/recruiting practices (advertising)

40 states prohibit false, inaccurate, deceptive, misleading, etc., statements or practices in general.*

14 states require factual advertising or ethical practices.*

6 states require the school to be prepared to verify advertising.*

6 states require a school official to be responsible for all advertising.*

5 states require advertising to conform to specific standards other than agency standards.*

4 states give examples of misrepresentations.

37 states restrict advertising regarding employment, job opportunities, placement, salaries, or ability of school to completely train students within a certain period of time.*

31 states prohibit implying that issuance of a certificate or permit constitutes approval or give approved language for advertising certification.*

30 states require schools to advertise as schools, require the school name and data to be included in advertising, prohibit concealing that training is offered, or place restrictions on the name of the school.*

30 states prohibit soliciting students by "blind" or "help wanted" ads.

11 states restrict advertising regarding the results of training (e.g., union membership, licensing, passing professional exams, or receipt of degree).*

15 states limit or restrict advertising regarding accreditation.*

3 states restrict references to approval by other state or Federal agencies.

5 states prohibit implying a connection with state or other governments.

11 states prohibit misrepresenting the transferrability of a school's credits.*

10 states restrict the use of terms like "college" or "university".

9 states restrict advertising relating to the faculty.

19 states restrict advertising related to courses and services.

7 states prohibit misrepresentations related to facilities and equipment.

8 states prohibit deceptions relating to costs.

4 states require advertising to indicate whether residence, correspondence, or both types of training arebeing offered.

4 states prohibit misrepresentations regarding profit status, reputation, size, location, or affiliations of a school.

Table 7 *(continued)*

26 states prohibit or restrict endorsements and testimonials.*

5 states prohibit or restrict the use of the terms "free" or "guarantee."

9 states limit use of scholarships or financial premiums in recruiting.*

16 states restrict statements about other schools or prohibit attempting to change students' plans to attend another school.

14 states prohibit the use of misleading photos or illustrations.

7 states prohibit false representations regarding enrollment limitations.*

3 states prohibit representations that lack of a high school diploma or certain education or experience is not a handicap to employment or further training.

4 states prohibit misrepresentations related to talent hunts or contests.

4 states prohibit misrepresenting requirements for success or enrollment.

I. Advertising or sales/recruiting practices (agents)

25 states require agents to be of good character.*

13 states restrict the terms that may be applied to agents.*

10 states require training or supervision of agents.*

7 states require the school to be responsible for its agents' activities.*

6 states require character references for agents.*

5 states require care in selecting and training agents.

4 states do not permit agents to have engaged in deceptive practices, to have been convicted, or to have had their permits revoked.

3 states require agents to be informed about the school and its offerings.

J. Student and personnel recordkeeping practices

25 states require adequate, current, or accurate records to be maintained.*

19 states require records to be available to the student or agency.*

27 states require that records show student attendance.*

28 states require that records show student progress or grades.*

16 states require that records show student termination, completion, placement and/or reasons for withdrawal.*

14 states require that records show personal data on students.*

Table 7 *(continued)*

14 states require that records show the student's previous education, training, or entrance credits.

14 states require that records show student tuition payments or refunds.

5 states require that records show placement efforts made for students.

7 states require that records show educational credentials awarded.

9 states require that records show courses or programs taken.

3 states require that records show students' scores on entrance, aptitude, or achievement tests.

11 states require that records show data on school staff.*

7 states require that records include the enrollment agreement or application form.

5 states require that records show compliance with admission requirements.*

7 states require that records show entrance or enrollment date.

13 states require that records be kept for a specified period of time.

7 states describe records as "permanent".

13 states require records to be secured if an institution discontinues operation.*

K. Financial practices

6 states prohibit false, deceptive, misleading, or unfair collection or credit practices.*

9 states require that uniform prices be charged for courses except in certain cases (e.g., group or cash discounts).*

8 states place limits on advance payments.*

8 states require tuition rates to be maintained as published.*

11 states place restrictions on financial aid or scholarship programs.*

8 states place restrictions on the sale of student loans or the assignment of contracts.*

3 states require that charges for training be reasonable based on services rendered.*

L. Refund policies and practices

7	states require cancellation and refund policies to be "fair and equitable" or "reasonable and proper".
2	states require "prompt" payment of "reasonable" refunds.
9	states accept the refund policies of accrediting agencies under certain conditions.*
4	states require schools to adhere to their published refund policies.*
28	states require refunds in amounts based on some formula which considers training received or time attended.*
15	states describe their required refund policies and "pro rata" with limitations .
5	states require training received to be calculated in months.
17	states require training received to be calculated in terms of the percent of the course or program received.
11	states require training received to be calculated in weeks.
3	states require training received to be calculated in days or clock hours.
5	states have required refund policies which vary depending upon the length of the program.
6	states require schools to refund charges for training in excess of 12 months if the student withdraws during the first year.
22	states permit no refunds to be made after a specified amount of training has been received.
32	states permit schools to retain a nonrefundable registration fee or deposit.
19	states require refunds to be made within a specified period of time, at least in certain cases.
21	states require a "cooling-off" period in which students may cancel their contracts without obligation.*
10	states require refunds for charges other than tuition (e.g., books, lab fees, etc.).*
3	states do not require refunds for such charges if conditions are met.*
6	states require schools to make full refunds if classes are cancelled.

8 states require schools to make full refunds to students they do not accept.

9 states suggest schools give special consideration to students in certain circumstances (e.g., death, illness, military service, etc.) when making refunds.

11 states require students give written notice of withdrawal.

4 states require schools to mail a notice of receipt of a withdrawal request to students.

8 states specify a method for determining withdrawal or termination date.*

3 states give a specific definition for "entered training" or "executed contract".*

35 states require disclosure to the public regarding a school's other charges.*

41 states require disclosure to the public regarding a school's cancellation and refund policy.*

22 states require disclosure to the public regarding a school's policies on attendance, withdrawal, conduct and/or discipline.*

9 states may require disclosure to the public of other unspecified information concerning the school.*

11 states require disclosure to the public regarding a school's placement services.*

13 states require disclosure to the public regarding a school's facilities and equipment.*

3 states require disclosure to the public regarding procedures for handling students' complaints or questions. *

13 states require disclosure to the public regarding a school's policies on accepting credits from other institutions. *

12 states require disclosure to the public regarding a school's methods and/or terms of payment.*

9 states require that students be told of their rights and obligations when contracting with a school or be informed that the enrollment agreement is a binding contract.*

4 states require disclosure to the public regarding a school's financial aid opportunities.*

11 states require disclosure to the public regarding a school's student services.*

Table 7 *(continued)*

M. Placement

6 states require that records of the initial employment of graduates be maintained.*

4 states require that evidence of referrals or placement efforts be maintained or filed if a placement service is offered.*

4 states require that placement activities be free to students and graduates.

Only 2 states require that a placement service be provided.

TABLE 8

DETAILED PROVISIONS OF STATUTES AND REGULATIONS GOVERNING TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS[1]

A. Institutional purpose, governance, operation, and organization

14 states have provisions regarding institutional organization and governance.*

14 states have provisions regarding institutional purpose and/or character.*

9 states have miscellaneous provisions regarding institutional operation.*

B. Course length, content, goals or objectives

14 states require courses to be appropriate to institutional goals, plans, or status.*

9 states require evaluation and/or improvement of courses or instruction.*

8 states require course objectives to be states.*

6 states require course components to implement course purposes or objectives.*

6 states require the breadth of curriculum to be appropriate.*

5 states require continuity or sequence in curriculum.*

4 states require adaptations to meet students' needs.*

3 states set requirements for a block of general or liberal education courses.*

3 states require courses to be "adequate," "suitable," or "proper" or to deliver intended benefits.

C. Degree, diploma, credential, or graduation requirements

4 states require 120 semester hours credit for a bachelor's degree.

4 states require appropriate credentials to be awarded.*

3 states set limits on the granting of degrees based on transfer credit.*

3 states require degree requirements to be consistent with current standards in similar institutions.*

3 states restrict honorary degrees.*

3 states require earned degrees to be bona fide.*

3 states require a specific period of study to earn degrees.*

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[1] Asterisks in this table indicate that sample language is included in Appendix K. References to #'s (e.g., see #10) are to detailed state coverage charts found in Appendix I.

D. Staff

17 states require adequate or appropriate preparation or qualifications of faculty.*

13 states require a reasonable or adequate number of faculty.*

11 states restrict teacher's workload.*

10 states require specific educational qualifications of teachers.*

10 states set requirements for the number of full-time faculty or limit the number of part-time faculty.*

9 states set requirements for the administrators and/or governors of the institution.*

8 states set requirements regarding librarians.*

6 states require occupational qualifications.*

3 states require school personnel to be of good reputation and character.*

3 states require instructor qualifications to be consistent with those prevailing at other accredited institutions.*

3 states require orientation and/or evaluation of faculty.*

E. Facilities

22 states require facilities or materials and equipment to be adequate or appropriate.*

14 states require libraries to be adequate or appropriate.*

13 states require facilities to meet legal requirements related to safety and health.*

11 states list factors to be considered in determining the adequacy of the library.*

6 states list factors to be considered in determining the adequacy of facilities.*

6 states require facilities to be appropriate or sufficient to purposes or objectives.*

5 states set standards for the seating capacity of the library.*

5 states require library material to be accessible or convenient.*

5 states set standards for library budgets.*

4 states set standards for quality of library collections.*

4 states set standards for quantity of library collections.*

4 states set standards for the "climate" of the library.*

Table 8 *(continued)*

F. Financial stability

18 states require institutions to be financially stable or to have adequate resources.*

10 states require institutions to prepare financial statements or be audited.*

6 states set standards for financial records or statements.*

6 states list factors to be considered in determining financial adequacy or stability.*

6 states attempt to quantify financial adequacy or stability in various ways (see #'s 6, 11, 14, and 17).*

3 states require an annual budget to be prepared.

3 states require income to be spent for certain purposes.*

3 states require a plan or program for financial development.*

F. Bonding

3 states require institutional bonding; 2 other states may require this.

3 states require agents to be covered by bonds.

G. Qualifications of potential students and orientation of entering students

12 states require high school graduation or equivalent to be an entrance requirement.*

6 states require "reasonable" or "appropriate" entrance requirements or admissions policies.*

6 states require institutions to limit enrollments to students with appropriate interests and abilities.*

5 states require admissions standards to assure students will be able to complete the program.*

3 states prohibit discrimination in admissions based on race, sex, creed, etc.*

H. Public disclosure (means)

14 states set requirements for catalogs.*

4 states require certain information to be published.*

3 states include requirements for enrollment contracts.*

3 states require information to be furnished prior to enrollment.*

3 states require certian information to be available or made known.*

H. Public disclosure (content)

13 states require disclosures regarding courses or curriculum.*

12 states require disclosures regarding costs.*

11 states require disclosures regarding ownership, control, type of legal organization; and/or names and/or duties of administrators, officers, owners, and/or board members.*

10 states require disclosures regarding cancellation and refund policies.*

10 states require disclosures regarding purposes, objectives and/or history of the institution.*

10 states require disclosures regarding admission requirements.*

9 states require disclosures regarding faculty and/or personnel policies.*

8 states require disclosures regarding graduation requirements.*

7 states require disclosures regarding degrees and/or degree requirements.*

7 states require disclosures regarding facilities.*

6 states may require that other unspecified information be disclosed.*

5 states require disclosures regarding the institution's calendar.*

4 states require disclosures regarding student financial assistance.*

4 states require disclosures regarding credits or grades and/or standards of progress.*

4 states require disclosures regarding student conduct, probation, dismissal, or due process.*

3 states require disclosures regarding accredited or approved status.*

Table 8 *(continued)*

I. Advertising or sales/recruiting practices (advertising)

12 states restrict the use of terms such as "college" or "university."*

7 states limit advertising of state approval.*

6 states require information or advertising to be accurate, correct, factual, etc.*

4 states prohibit false, deceptive, misleading or unfair practices.*

3 states place additional restrictions on a school's name (see #'s 4, 11, and 26).*

I. Advertising or sales/recruiting practices (agents)

4 states prohibit agents from engaging in false, deceptive, misleading or unfair practices.*

3 states require agents to swear to represent their schools honestly and accurately or to sign affidavits to that effect.*

2 states require agents to be of good reputation and character and one state may require evidence of this.

1 state requires institutions to be responsible for its agents' actions.

J. Student and personnel recordkeeping practices

9 states require records of student progress or performance to be maintained.*

7 states require records to be secured if the school discontinues operation.*

6 states require student records to contain college grades or credits.*

6 states require records of students' background to be maintained.*

6 states require records of attendance to be maintained.*

4 states require student records to contain college admissions records and/or test results.*

4 states require student records to be available.*

K. Financial practices

7 states include requirements covering transactions with students (#'s 1, 5, 8, 10, and 16).*

4 states include requirements covering an institution's budget (#'s 4, 6, 12, and 13).*

Table 8 *(continued)*

L. Refund policies and practices

4 states require a fair and equitable refund policy.*

3 states permit a nonrefundable registration fee.*

3 states require a refund of all monies paid less registration fee prior to start of classes.*

3 states require other refunds based on some formula which considers time attended.*

M. Placement

Only 4 states make any mention of placement related issues in their statutes and/or regulations.

3 states require institutions to provide placement assistance or services (see #'s 2 and 3).

TABLE 9

MINIMUM REFUNDS REQUIRED BY STATE LAWS/REGULATIONS FOR PRIVATE NONDEGREE-GRANTING INSTITUTIONS

State	A 12 hrs after contract signed	B before classes start	C 1 week after classes start	D 2 weeks after classes start	E 8 weeks after classes start	Average
Alabama[1]	975	975	765	720	450	777
Alaska[2]	0	0	0	0	0	0
Arizona[3]	0	0	0	0	0	0
Arkansas[4]						
Accredited Schools	NATTS: 1000	900	800	650	400	750
	AICS: 950	950	712	712	712	807
Nonaccredited Schools	950	950	712	712	712	807
California	1000	950	800	700	0	690
Colorado	1000	800	800	800	500	780
Connecticut[3]	0	0	0	0	0	0
Delaware	1000	0	0	0	0	200
District of Columbia	1000	950	807	760	475	798
Florida[6]	NATTS: 1000	900	800	650	400	750
	AICS: 900	900	900	800	300	760
Georgia	1000	900	800	650	400	750
Hawaii[7]	985	985	877	788	492	825
Idaho	1000	500	500	500	250	550
Illinois	1000	925	740	647	462	755
Indiana	1000	900	855	810	540	821
Iowa[8]	0	0	0	0	0	0
Kansas[9,6]	950	950	NATTS: 800	650	400	370
			AICS: 900	800	300	780
Kentucky[3]	0	0	0	0	0	0
Louisiana[3]	0	0	0	0	0	0
Maine	1000	712	475	475	475	627
Maryland[2]	0	0	0	0	0	0
Massachusetts[10]	950	950	940	855	570	853
Michigan[11]	950	NATTS: 900	800	650	400	550
		AICS: 900	900	800	300	770
Minnesota[12]	1000	950	890	800	500	828
Mississippi[3]	0	0	0	0	0	0
Montana[2,3]	0	0	0	0	0	0
Nebraska	900	900	600	600	0	600
Nevada	950	950	500	500	0	580
New Hampshire[3]	1000	0	0	0	0	200
New Jersey[13]	875	875	787	700	262	700

TABLE 9 *(continued)*

State	12 hrs after contract signed	before classes start	1 week after classes start	2 weeks after classes start	8 weeks after classes start	Averag
New Mexico	1000	900	720	720	540	776
New York	1000	900	850	550	250	710
North Carolina [3]	0	0	0	0	0	0
North Dakota	975	975	975	750	500	835
Ohio [6]	NATTS: 1000	900	800	650	400	750
	AICS: 900	900	900	800	300	760
Oklahoma						
Business Schools	900	900	850	550	300	700
Trade, Technical & Flight Schools	900	900	675	675	450	720
Oregon	1000	900	900	675	450	785
Pennsylvania						
Business Schools	850	850	712	522	285	644
Trade Schools	925	925	740	693	416	740
Rhode Island [14]	NATTS: 1000	900	800	650	400	750
	STATE & AICS: 1000	950	712	712	475	770
South Carolina	NATTS: 1000	900	800	650	400	750
	STATE & AICS: 1000	950	855	855	475	827
South Dakota [15]	1000	950	855	810	540	831
Tennessee	NATTS: 1000	900	800	650	400	750
	STATE & AICS: 950	950	902	855	570	845
Texas	1000	950	855	712	475	798
Vermont [16]	0	0	0	0	0	0
Virginia	800	800	450	450	225	545
Washington [17]	900	900	900	0	0	540
West Virginia	1000	950	712	522	285	800
Wisconsin	1000	900	900	750	450	800
Wyoming	1000	950	712	712	475	770

Footnotes

[1] Policy unclear: "pro rata basis of the registration fee not to vary more than 10%." This was interpreted to mean pro rata basis over the course plus 10% calculated on amount of time, not money.

[2] Refund policy must be "fair and equitable," "reasonable," etc.; assumed zero refund.

TABLE 9 *(continued)*

[3] Refund policy must be clearly presented in student enrollment contract, catalog, etc.; assumed zero refund.

[4] Accredited schools must have policies at least as liberal to students as NATTS or AICS policies. AICS states that state policy for non-accredited schools should be used if it is more liberal than AICS policy; in Arkansas, it is.

[5] Three day cooling off period; 95% refund within 30 days of contract only; no other refund provisions specified.

[6] Policy must be equal to or better than that required for a recognized accrediting agency.

[7] Number of days of classes assumed to be 5 days/week times 20 weeks (100 days); 10% variance from pro rata policy was calculated on amount of time, not money.

[8] Ads must state refund policy, or no refund policy if there is none.

[9] No more than $100 shall be collected more than 10 days before classes begin.

[10] Amount under "1 week after classes start" assumed 1% of the course (1 class) was taken. If 1 class equals one week in pro rata terms, then 5% should be deducted, and the amount refunded would be $902.

[11] No more than $50 can be kept within 10 days of enrolling; other refunds to be made according to policies of NATTS or AICS.

[12] Amount under "1 week after classes start" figured on 1%; if 5%, refund would be $850.

[13] It is assumed that course is more than 300 hours and that attendance is full time. Other refund schedules apply for shorter courses or part-time attendance.

[14] Minimum state policy is given; however policy also states that accrediting commissions policy should be used for accredited schools; what is done if that policy is less liberal than state policy is unclear; we assumed accrediting commission policy prevailed.

[15] Pro rata portion of course after terminating after 1 class is based on 5% (1 week), not 1 day, because policy specifies weeks.

[16] Policy not specified; policy must be filed by school in connection with agent licensing.

[17] States only that 90% refund to be given after 1 class, but doesn't provide for cancellations before classes start or after more than 1 class is taken; policy assumed to apply before classes start.

agency, the policies of both the National Association of Trade and Technical Schools (NATTS) and the Association of Independent Colleges and Schools (AICS) were used.

Comparisons with ECS Model State Legislation. In the Introduction section, we referred to the Model State Legislation developed in 1973 by the Education Commission of the States (ECS) in cooperation with the U.S. Office of Education. This licensing statute represented the best thinking of a blue ribbon panel, which was asked to write a document that states could model in strengthening their own statutes, especially with respect to improving student consumer protection. The ECS statute purposefully has no detailed "implementing" regulations to carry out some of its fairly broad provisions; as such, it represents a minimum standard for extensiveness of coverage. Tables 10 and 11 illustrate the results of comparisons between the coverage of combined state laws and regulations and the coverage of the ECS statute in the same 13 consumer protection categories used in Tables 7 and 8, plus another "miscellaneous" category.[1] The comparisons were done by a knowledgeable consultant using the following rating system:

(1) If the state's coverage is much more extensive, score "++".
(2) If the state's coverage is more extensive, score "+".
(3) If the state's coverage is approximately equal to the ECS coverage, score "=".
(4) If the state's coverage is less extensive, score "-".
(5) If the state has no coverage in a category, score "0".

The reliability of the ratings in Tables 10 and 11 was estimated by asking a second consultant to rate the coverage of state laws in category I, Advertising, the most difficult and lengthy of the 14 categories. By converting the two sets of independent ratings on a five point scale, product moment correlations were calculated; r's were .91 and .78 for nondegree- and degree-granting sectors respectively.

The fact that "0's" outnumber "++'s" in the nondegree-granting sector by a ratio of over two to one is sobering; even more sobering is the "0" to "++" ratio of almost 17 to 1 in the degree-granting sector. The implications of these ratios, and the large number of "0's" and "-'s" in general, will be addressed in the Discussion and Conclusions section of this report.

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[1] The ECS Model State Legislation had no coverage in our categories A, G, and M. If the state had any language in these categories, it received at least an "=" rating, even if the language was judged to represent insignificant coverage; if the state had no language, it received a "0".

TABLE 10

STATE STATUTES AND REGULATIONS FOR AUTHORIZING AND OVERSIGHT OF PRIVATE NONDEGREE-GRANTING INSTITUTIONS* COMPARISON WITH ECS MODEL LEGISLATION**

KEY

++	much more extensive coverage
+	more extensive coverage
=	equally extensive coverage
-	less extensive coverage
0	no coverage

State	A. Institutional purpose, governance, and operation	B. Course length, content, goals, or objectives	C. Degree, diploma, credential, or graduation requirements	D. Qualifications of instructional or administrative staff (including maximum teaching loads and teacher-pupil ratios)	E. Facilities (including instructional and administrative facilities and equipment, housing or room/board facilities, health and safety requirements)	F. Financial stability (including institutional performance bonds and financial record maintenance)	G. Minimum qualifications of potential students and orientation of entering students	H. Public disclosure of material facts (including fees and content of enrollment agreement or contracts)	I. Advertising or sales/recruiting practices (including minimum qualifications for licensing of sales representatives, and limitations on use of terminology such as "university," "approval," "admissions counselor," etc.)	J1. Student and personnel recordkeeping practices (including minimum requirements for content of students' records)	J2. Student and personnel recordkeeping practices (including minimum requirements for maintenance of students' records)	K. Financial practices (including procedures for making loan awards, requirements for fees, and scholarships or aid requirements)	L. Minimum refund policies and practices	M. Placement (including follow-up data collection from former students, graduates, employers regarding posteducation outcomes)	N. Other topics of possible importance for student consumer protection
ALABAMA	0	++	=	+	++	=	0	++	++	+	-	+	+	0	-
ALASKA	=	=	=	+	=	=	0	=	=	=	+	+	+	0	=
ARIZONA	0	+	=	-	-	=	+	+	+	+	-	+	-	++	-
ARKANSAS	+	++	=	+	=	+	+	+	++	+	-	=	+	+	+
CALIFORNIA	-	=	+	+	+	-	=	-	++	+	-	=	+	0	=
COLORADO	0	+	++	++	-	++	+	++	++	++	+	=	++	0	+
CONNECTICUT	+	+	+	+	-	-	+	=	-	+	-	+	-	+	+
DELAWARE	0	0	0	+	-	+	0	-	-	0	0	-	+	0	0
DISTRICT OF COLUMBIA	0	0	0	0	0	=	0	-	=	0	0	-	++	0	0
FLORIDA	+	+	=	=	+	0	+	+	+	=	+	+	+	+	+
GEORGIA	+	+	=	++	+	+	+	+	++	+	=	+	+	=	+
HAWAII	+	+	=	+	-	=	0	++	+	+	+	+	++	+	-
IDAHO	0	0	0	0	0	0	0	0	=	0	0	0	+	0	0
ILLINOIS	+	++	=	++	=	++	+	++	++	++	-	++	++	+	+
INDIANA	+	=	=	+	=	+	0	-	++	++	+	=	++	=	+
IOWA	0	0	0	0	0	=	0	-	-	0	0	=	+	=	0
KANSAS	0	=	+	+	-	=	0	-	+	+	-	+	+	0	+
KENTUCKY	0	=	+	+	-	+	+	-	+	-	-	0	-	0	+
LOUISIANA	0	0	0	-	=	+	0	+	=	0	0	0	-	0	+
MAINE	0	0	0	0	0	-	=	=	-	0	0	0	+	0	0
MARYLAND	+	=	-	++	=	-	=	=	=	+	-	+	=	+	+
MASSACHUSETTS (Business schools)	+	-	-	+	=	+	0	-	+	-	-	-	0	0	0
(Trade Schools)	+	=	0	+	+	-	0	=	-	0	0	-	+	0	0
MICHIGAN	+	+	=	+	-	=	+	++	++	+	-	=	+	0	+
MINNESOTA	0	+	0	+	=	+	+	++	=	-	-	=	++	++	0
MISSISSIPPI	0	+	0	+	=	+	0	-	+	0	0	0	0	=	=
MISSOURI															

*State laws and regulations in effect as of 1 January 1977.

**ECS has no provisions in Categories A, G, and M.

State Statutes and Regulations for Authorizing and Oversight of Private Nondegree-Granting Institutions *(continued)*

KEY

- ++ much more extensive coverage
- + more extensive coverage
- = equally extensive coverage
- - less extensive coverage
- 0 no coverage

State	A. Institutional purpose, governance, and operation	B. Course length, content, goals or objectives	C. Degree, diploma, credential, or graduation requirements	D. Qualifications of instructional or administrative staff (including maximum teaching loads and teacher-pupil ratios)	E. Facilities (including instructional and administrative facilities and equipment, housing or room/board facilities, health and safety requirements)	F. Financial stability (including institutional performance bonds and financial record maintenance)	G. Minimum qualifications of potential students and orientation of entering students	H. Public disclosure of material facts (including fees and content of enrollment agreement or contracts)	I. Advertising or sales/recruiting practices (including minimum qualifications for licensing of sales representatives, and limitations on use of terminology such as "university," "approval," "admissions counselor," etc.)	J1. Student and personnel recordkeeping practices (including minimum requirements for content of students' records)	J2. Student and personnel recordkeeping practices (including minimum requirements for maintenance of students' records)	K. Financial practices (including procedures for making loan awards, requirements for fees, and scholarships or aid requirements)	L. Minimum refund policies and practices	M. Placement (including follow-up data collection from former students, graduates, employers regarding posteducation outcomes)	N. Other topics of possible importance for student consumer protection
MONTANA	0	+	=	+	=	+	+	=	+	+	=	=	=	=	0
NEBRASKA	0	0	0	+	-	+	0	=	=	+	=	0	+	=	0
NEVADA	0	+	=	+	+	++	+	++	++	+	=	=	+	+	+
NEW HAMPSHIRE	+	=	0	+	=	=	0	+	-	0	0	0	-	0	0
NEW JERSEY	++	-	0	++	=	=	+	++	+	+	=	++	+	0	=
NEW MEXICO	+	+	=	+	+	=	++	+	+	-	-	+	+	+	++
NEW YORK	+	+	0	++	+	+	+	+	+	+	-	=	+	+	0
NORTH CAROLINA	+	+	=	+	-	=	+	++	+	+	-	=	-	=	+
NORTH DAKOTA	0	-	0	-	-	=	0	-	-	0	0	-	+	0	0
OHIO	+	++	+	+	+	+	+	+	++	+	=	+	+	+	+
OKLAHOMA	+	+	=	+	-	+	+	++	++	-	-	+	+	=	=
OREGON	0	+	=	+	=	+	+	+	++	=	-	=	+	=	=
PENNSYLVANIA (Business Schools)	0	+	+	+	+	=	+	+	++	=	-	+	+	=	=
(Trade Schools)	+	+	=	++	=	+	=	+	++	=	-	+	+	=	=
(Correspondence Schools)	+	+	0	+	+	=	+	+	++	=	-	+	+	=	=
RHODE ISLAND (Correspondence Schools)	+	0	0	-	0	+	=	+	++	-	-	=	++	+	+
(Everything else)	0	+	=	+	+	++	+	+	++	+	-	+	++	+	++
SOUTH CAROLINA	+	=	=	=	=	=	+	++	++	=	-	0	+	=	+
SOUTH DAKOTA	+	+	0	-	=	+	0	+	++	-	-	+	++	+	+
TENNESSEE	0	+	=	++	+	+	+	++	++	+	=	+	++	=	=
TEXAS	0	+	=	++	+	++	+	+	++	+	-	+	++	+	++
UTAH															
VERMONT	0	0	0	0	0	-	+	0	+	0	0	0	-	=	0
VIRGINIA	+	+	0	+	+	+	0	-	++	=	-	=	+	0	+
WASHINGTON	0	=	=	-	-	0	0	-	=	0	0	0	=	0	=
WEST VIRGINIA	0	0	0	0	0	-	0	-	-	0	0	0	+	0	0
WISCONSIN	+	+	=	=	=	+	++	++	++	=	-	+	++	++	=
WYOMING	0	+	=	+	=	=	+	-	+	+	-	0	+	=	=

TABLE 11

STATE STATUTES AND REGULATIONS FOR AUTHORIZING AND OVERSIGHT OF TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS* COMPARISON WITH ECS MODEL LEGISLATION**

KEY

++	much more extensive coverage
+	more extensive coverage
=	equally extensive coverage
-	less extensive coverage
0	no coverage

State	A. Institutional purpose, governance, and operation	B. Course length, content, goals or objectives	C. Degree, diploma, credential, or graduation requirements	D. Qualifications of instructional or administrative staff (including maximum teaching loads and teacher-pupil ratios)	E. Facilities (including instructional and administrative facilities and equipment, housing or room/board facilities, health and safety requirements)	F. Financial stability (including institutional performance bonds and financial record maintenance)	G. Minimum qualifications of potential students and orientation of entering students	H. Public disclosure of material facts (including fees and content of enrollment agreement or contracts)	I. Advertising or sales/recruiting practices (including minimum qualifications for licensing of sales representatives, and limitations on use of terminology such as "university," "approval," "admissions counselor," etc.)	J1. Student and personnel recordkeeping practices (including minimum requirements for content of students' records)	J2. Student and personnel recordkeeping practices (including minimum requirements for maintenance of students' records)	K. Financial practices (including procedures for making loan awards, requirements for fees, and scholarships or aid requirements)	L. Minimum refund policies and practices	M. Placement (including follow-up data collection from former students, graduates, employers regarding posteducation outcomes)	N. Other topics of possible importance for student consumer protection
ALABAMA															
ALASKA															
ARIZONA															
ARKANSAS	+	0	0	+	-	-	+	-	-	0	0	0	0	+	=
CALIFORNIA	=	=	+	=	=	-	=	-	++	+	-	=	+	0	=
COLORADO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CONNECTICUT	++	++	+	++	+	+	+	+	-	+	-	+	-	0	+
DELAWARE	++	++	+	++	++	++	+	+	0	-	-	+	-	0	+
DISTRICT OF COLUMBIA	+	+	+	+	+	=	+	=	-	0	0	0	0	0	+
FLORIDA	++	+	0	+	=	=	+	+	=	=	=	0	=	0	+
GEORGIA	++	+	+	++	+	=	+	0	0	+	-	0	0	0	+
HAWAII	0	0	+	0	0	0	0	0	-	0	0	0	0	0	0
IDAHO															
ILLINOIS	+	=	=	=	=	-	+	0	=	-	-	=	0	0	+
INDIANA															
IOWA															
KANSAS	+	0	0	-	0	-	0	0	0	0	0	0	0	0	0
KENTUCKY	0	+	+	+	+	+	+	++	+	=	-	0	+	+	++
LOUISIANA															
MAINE	0	=	=	0	-	-	0	0	0	0	0	0	0	0	0
MARYLAND	+	++	++	++	+	+	+	+	-	-	-	=	0	0	+
MASSACHUSETTS	0	=	0	=	=	-	0	0	-	0	0	0	0	0	0
MICHIGAN	+	=	+	+	+	=	0	0	-	0	0	=	0	0	0
MINNESOTA	0	0	0	0	0	-	0	0	-	+	-	0	0	0	0
MISSISSIPPI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MISSOURI															

*State laws and regulations in effect as of 1 January 1977.

**ECS has no provisions in Categories A, G, and M.

State Statutes and Regulations for Authorizing and Oversight of Private Degree-Granting Institutions *(continued)*

KEY

- ++ much more extensive coverage
- + more extensive coverage
- = equally extensive coverage
- - less extensive coverage
- 0 no coverage

State	A. Institutional purpose, governance, and operation	B. Course length, content, goals or objectives	C. Degree, diploma, credential, or graduation requirements	D. Qualifications of instructional or administrative staff (including maximum teaching loads and teacher-pupil ratios)	E. Facilities (including instructional and administrative facilities and equipment, housing or room/board facilities, health and safety requirements)	F. Financial stability (including institutional performance bonds and financial record maintenance)	G. Minimum qualifications of potential students and orientation of entering students	H. Public disclosure of material facts (including fees and content of enrollment agreement or contracts)	I. Advertising or sales/recruiting practices (including minimum qualifications for licensing of sales representatives, and limitations on use of terminology such as "university," "approval," "admissions counselor," etc.)	J1. Student and personnel recordkeeping practices (including minimum requirements for content of students' records)	J2. Student and personnel recordkeeping practices (including minimum requirements for maintenance of students' records)	K. Financial practices (including procedures for making loan awards, requirements for fees, and scholarships or aid requirements)	L. Minimum refund policies and practices	M. Placement (including follow-up data collection from former students, graduates, employers regarding posteducation outcomes)	N. Other topics of possible importance for student consumer protection
MONTANA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEBRASKA	+	=	0	=	0	-	0	0	0	0	0	0	0	0	+
NEVADA	0	+	=	+	+	++	+	++	++	+	=	=	+	+	+
NEW HAMPSHIRE	0	=	0	-	=	-	0	0	-	-	+	0	0	0	0
NEW JERSEY	++	+	+	+	+	+	+	-	-	+	=	=	0	0	+
NEW MEXICO															
NEW YORK	++	+	++	+	+	+	+	+	-	=	=	0	0	0	+
NORTH CAROLINA	0	=	=	=	=	-	+	=	-	=	-	=	=	0	=
NORTH DAKOTA															
OHIO	0	0	+	+	+	=	0	0	-	0	0	0	0	0	+
OKLAHOMA	+	=	0	0	+	0	0	-	0	-	-	=	0	0	=
OREGON	+	=	+	+	+	=	+	-	-	-	-	-	0	+	=
PENNSYLVANIA (Junior Colleges)	+	+	+	++	+	-	+	-	0	0	0	0	0	0	+
(Colleges and Seminaries)	+	+	+	+	+	+	+	-	0	0	0	0	0	+	+
(Universities)	++	+	+	+	+	+	+	-	0	0	0	0	0	+	+
RHODE ISLAND	+	+	++	+	+	=	+	-	-	+	-	0	0	+	+
SOUTH CAROLINA															
SOUTH DAKOTA															
TENNESSEE	+	+	=	+	+	+	=	+	=	=	=	=	=	+	+
TEXAS	+	+	+	+	=	-	0	=	=	=	=	0	=	0	+
UTAH															
VERMONT	+	+	=	+	+	-	+	+	-	0	0	0	0	0	=
VIRGINIA	0	-	-	+	-	-	+	-	-	0	0	0	0	0	+
WASHINGTON															
WEST VIRGINIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WISCONSIN															
WYOMING															

Location of authorizing/oversight agencies. Because it has a possible bearing on the degree of attention given to institutional abuses of students, we attempted to characterize the location of each state authorizing and oversight agency within its state government. A separate analysis was undertaken, using the following options:

(1) State Department/Board of Education, Department/Board of Public Instruction (with additional responsibilities for elementary and/or secondary education)

(2) State Department/Board/Commission/Council of Higher/Postsecondary Education (with sole responsibility for postsecondary education)

(3) State Department/Board of Occupational/Vocational Education

(4) State Board of Regents, State University System

(5) Independent Educational Board or Commission

(6) Other state regulatory board or agency (e.g., State Department of Motor Vehicles)

When the universe of authorizing and oversight agencies was placed into these categories, the following results were obtained for the nondegree-granting (NDG) and degree-granting (DG) sectors:

	NDG	DG
(1) Department of Education	28	14
(2) Department of Postsecondary Education	3	16
(3) Department of Occupational Education	4	0
(4) State University System	1[1]	7[1]
(5) Independent Board	11	5
(6) Other regulatory agency	2	1
Total	49[2]	43[3]

The placements in these categories were checked independently by a second person, who obtained essentially the same results.

Authorized enforcement strategies. Although the coverage charts (Tables 6 and 7) earlier in this section have touched on enforcement strategies (i.e., columns on licensing, bonding, denial and revocation of licenses, and obtaining injunctions), this is a considerably more complex area, with great importance for student consumer protection. In a comprehensive survey of state consumer protection laws (to be discussed at greater length in the next section), the National Consumer Law Center has identified 33 distinct enforcement strategies that states may use to prevent or punish consumer abuse. These are listed in Table 12. Not surprisingly, a few are not applicable to postsecondary educational institutions (e.g., ratemaking, labeling), but most would appear to have at least some relevance. We conducted a preliminary analysis to determine which strategies were mentioned in the private sector laws. Almost all contained provisons for rulemaking (i.e., promulgating regulations to implement the law). The coverage for licensing, bonding, injunctions, and refunds has already been detailed sufficiently. It was felt that sufficient numbers of states allowed strategies of the following types to permit further analyses: (1) revocation of institutional licenses (and sales agent permits for the nondegree-granting sector); (2) criminal sanctions; (3) civil penalties; and (4) private remedies in general.[1] The results of these analyses are provided in Tables 13 and 14; 35 states allow four out of five strategies in the NDG sector; only 11 states allow three out of four strategies in the DG sector.

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[1] This includes the University of the State of New York, which could also be legitimately placed in category (2).

[2] Includes Vermont.

[3] Includes Alaska, Idaho, South Dakota, Wisconsin, and Wyoming.

Recency of authorizing and oversight activity. Tables 15 and 16 on pages 62-65 provide a summary of the dates of enactment and most recent modification for the state laws/regulations that were covered in Tables 5 and 6 (except that laws covering only correspondence schools are omitted from Table 15). Question marks in these tables indicate dates we were unable to obtain. It should be noted again that the modifications and new regulations which went into effect after 1 January 1977 are not included in the data previously reported.

Of those 48 states that have licensing laws/regulations for nondegree-granting institutions, 35 (73%) have made some modifications since 1975. The corresponding figure for the 38 states with degree-granting laws/regulations is 26 (68%). These figures, even though partially incomplete, do indicate that a considerable amount of recent activity has occurred in state authorizing/oversight of postsecondary institutions, and that the amount of activity is in fact accelerating.

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[1] Included under the private remedies topic were laws that: held illegally-obtained contracts and notes unenforceable, made creditors subject to any defenses and claims that students might make against schools, required payment of court costs and attorney fees, and required payment of damages or multiple damages.

TABLE 12

STATE ENFORCEMENT STRATEGIES FOR CONSUMER ABUSE[1]

State Sanctions

(1) Criminal Sanctions
(2) Cease and Desist Orders, Injunctions
(3) Civil Penalties
(4) Restitution
(5) Receivership
(6) Condemnation and Seizure
(7) Prosecution Costs

Requirements

(8) Labeling
(9) Pre-Sale Disclosures
(10) Post-Sale Disclosures
(11) Recordkeeping, Inspections
(12) Licensing
(13) Bonding
(14) Ratemaking
(15) Other Requirements, Standards of Conduct
(16) Rulemaking

Private Remedies

(17) Rejection, Revocation of Acceptance
(18) Rescission, Contract Unenforceable
(19) Injunctions
(20) Damages
(21) Multiple Damages
(22) Statutory, Punitive Damages
(23) Attorneys' Fees
(24) Retention of Goods
(25) Class Actions
(26) Small Claims Court

Requirements and Rights Facilitating Private Action

(27) Warranties
(28) Remedy Waivers, Defense Cut-Offs
(29) Cooling-Off
(30) Affirmation
(31) Refunds
(32) Limitations on Contract Duration, Costs
(33) Regulation of Contract Substance

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[1] Source:
J. A. Sheldon and G. J. Zweibel. *Consumer fraud: An analysis of impact and opportunities for intervention: Survey of consumer fraud law*. Boston, Mass.: National Consumer Law Center, 1977. Definitions of these terms are provided in the source report.

TABLE 13

ENFORCEMENT STRATEGIES AUTHORIZED BY STATUTES AND REGULATIONS GOVERNING PRIVATE NONDEGREE-GRANTING INSTITUTIONS AS OF 1 JANUARY 1977

State	Revocation		Civil Strategies	Criminal Penalties	Private Remedies
	Institution	Agent			
AL	X	X	X	X	X
AK	X	X	X	X	X
AZ	X	X		X	X
AR	X	X		X	X
CA	[1]	X	X	X	X
CO	X	X	X	X	X
CT	X		X		
DE	X	X		X	
DC	X	X		X	X
FL	X	X	X	X	
GA	X		X	X	X
HI	X			X	
ID	X	X	X	X	X
IL	X	X	X	X	X
IN	X	X	X	X	X
IA				X	X
KS	X	X	X	X	X
KY	X	X		X	X
LA	X	X	X	X	X
ME-1				X	
ME-2		X		X	
MD	X				
MA-1	X			X	X
MA-2	X		X		X
MA-3				X	
MI	X	X		X	X
MN	X	X		X	X
MS	X	X	X	X	X
MO					

[1] Only courses are approved. It is unclear under what circumstances course approval may be revoked.

Table 13 *(continued)*

State	Revocation		Civil Strategies	Criminal Penalties	Private Remedies
	Institution	Agent			
MT	X	X		X	X
NE	X	X		X	
NV	X	X	X	X	X
NH	X	X		X	
NJ	X			X	
NM	X	X		X	
NY-1	X	X	X	X	X
NY-2					
NC	X			X	X
ND	X	X		X	X
OH	X	X	X	X	X
OK	X	X	2	X	X
OR	X	X	X	X	
PA-1	X	X		X	
PA-2			X	X	
PA-3	X		3	X	
PA-4	X	X		X	
RI-1	X		X	X	
RI-2		X	2	X	X
SC	X	X		X	X
SD	X	X	2	X	X
TN	X	X	X	X	X
TX	X	X	X	X	X
UT					
VT		X		X	X
VA	X	X		X	X
WA		X			X
WV		X	2	X	X
WI	X	X		X	X
WY	X		X	X	

---

[2] The Attorney General is authorized to bring action in court for enforcement of the Act.

[3] Failure to comply with the Act and regulations shall result in such action by the Board as is warranted.

TABLE 14

ENFORCEMENT STRATEGIES AUTHORIZED BY STATUTES AND REGULATIONS GOVERNING TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS AS OF 1 JANUARY 1977

State	Revocation	Civil Strategies	Criminal Penalties	Private Remedies
AL				
AK				
AZ				
AR	Occurs for conferring degrees without requiring sufficient work or for violation of law or regulations.		X	
CA	?	X	X	X
CO		X	X	
CT	Failure to comply results in removal from list and publication of such action.	X		
DE	Provisional approval may be withdrawn.			
DC	Occurs for noncompliance.		X	
FL	Occurs for cause or violation of rules. Agents' licenses may be revoked.	X	X	
GA	Failure to file information is cause for removal from the approved list.			
HI	Temporary permits may be revoked. Licenses become invalid if accreditation is lost.	X	X	
ID				
IL	Occurs for violations, failure to comply, and fraudulent conduct.	X		
IN				
IA				
KS				
KY	Licenses may be revoked for several reasons.			
LA				
ME			X	

Table 14 *(continued)*

State	Revocation	Civil Strategies	Criminal Penalties	Private Remedies
MD-1	Occurs for failure to permit examination.	X	X	
MD-2	A deficient institution may be ordered to cease operation.			
MA	Power to grant degrees may be revoked.	X	X	
MI	Proceedings for dissolution of a corporation may be instituted.	X		
MN		X		
MS				
MO				
MT			X	
NE				
NV	Licenses may be revoked or made conditional. Agents' permits may be revoked.	X	X	X
NH	The Legislature may take action.	X		
NJ	Approval may be revoked for cause.	X		
NM				
NY-1				
NY-2				
NY-3	Charters may be revoked, corporations dissolved, etc.		X	
NC	Occurs for failure to meet standards.			
ND				
OH	Occurs for cause.	X		
OK				
OR	May occur for failure to meet standards.			
PA-1		X	X	
PA-2	Occurs for failure to maintain standards.			
PA-3	Includes procedures for revocation.			
RI	May occur for cause.	X	X	
SC				
SD				
TN	Occurs for violation of Act or rules.	X	X	X
TX	Certificates, agents' certificates, and exempt status may be revoked.	X	X	
UT				
VT				
VA-1	Approval is no longer in effect if accreditation is lost.	X		
VA-2	Occurs for violations.	X	X	
WA				
WV				
WI				
WY				

TABLE 15

DATES OF ENACTMENT OF STATUTES AND REGULATIONS GOVERNING PRIVATE NONDEGREE-GRANTING INSTITUTIONS[1]

STATE	Date Original Law Enacted	Date of Most Recent Addition or Amendment	Date Most Recent Regulations Enacted
AL	Dec. 1971		Mar. 1972
AK	Mar. 1976		July 1977
AZ	1969	?	Jan. 1976
AR	July 1965	1975	July 1976
CA	1958	Jan. 1978	July 1975
CO	Jan. 1976		Jan. 1976
CT	July 1966	Oct. 1977	Dec. 1966
DE	1972		1972
DC	Oct. 1971[2]	Apr. 1977	
FL	July 1974		?
GA	Jan. 1973		1974
HI	?		July 1975
ID	1963	1977[3]	July 1972
IL	1955	1975	Feb. 1977
IN	July 1972		Dec. 1975
IA	1965	1972	
KS	1971	1972	Jan. 1974
KY	July 1976		Jan. 1977
LA	Oct. 1972	1974	1975
ME	1964		
MD	?		Aug. 1960
MA-1	July 1972	Aug. 1974	?
MA-2	Nov. 1941	1963	?
MA-3	July 1974		
MI	Nov. 1967		Oct. 1972
MN	Nov. 1969	1977	1969

---

[1] Statutes and regulations governing only correspondence schools are not included.

[2] Regulations promulgated under D.C.'s general business licensing law.

[3] This law requires registration of out-of-state institutions offering credit courses in Idaho. It is not an amendment or addition to existing legislation.

Table 15 *(continued)*

STATE	Date Original Law Enacted	Date of Most Recent Addition or Amendment	Date Most Recent Regulations Enacted
MS	1972	1976	?
MO			
MT	Jan. 1975	Mar. 1975	Feb. 1976
NE	1943	May 1977	Dec. 1964
NV	1975		1977
NH	Sept. 1969		June 1972
NJ	1940[4]	1942	Mar. 1973
NM-1	April 1971		May 1975
NM-2[5]		July 1971	May 1975
NY-1	?	April 1977	Jan. 1974
NY-2	July 1947		
NC	1961		Feb. 1976
ND	1943	July 1977	?
OH	Aug. 1969		Jan. 1978
OK	1970	May 1976	?
OR	1975		July 1975
PA-1	July 1947	May 1949	Nov. 1973
PA-2	May 1937		
PA-3	May 1945	?	Aug. 1969
RI	1932	1975	Feb. 1973
SC	1971	1975	1976
SD	1966	1974	May 1976
TN	July 1975	Mar. 1976	?
TX	Jan. 1972	?	Jan. 1977
UT			
VT	1967		Nov. 1967
VA	1970	1976	1976
WA	July 1968		Dec. 1975
WV	1959	1971	Jan. 1977
WI	July 1976		Dec. 1976
WY	?		Jan. 1974

---

[4] Legal source dates to 1940.

[5] These two laws were combined in Table 5.

TABLE 16

DATES OF ENACTMENT OF STATUTES AND REGULATIONS GOVERNING TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS

STATE	Date Original Law Enacted	Date of Most Recent Addition or Amendment	Date Most Recent Regulations Enacted
AL			
AK			
AZ			
AR	April 1975		?
CA	1958	Jan. 1978	July 1975
CO	1965		
CT	1965	1973	Nov. 1974
DE	?	1967	June 1972
DC	1966	Apr. 1977	
FL	Jan. 1972	Oct. 1976	?
GA	1937		Nov. 1959
HI	Sept. 1971		
ID		1977[1]	
IL	1945	1965	Feb. 1977
IN			
IA			
KS	July 1972		
KY	1972	Aug. 1974	July 1975
LA			
ME	?	?	Dec. 1975
MD-1	?		
MD-2	?		1969
MA-1	?		
MA-2	?	?	
MI	1931	May 1969	
MN	Mar. 1977		
MS	June 1964		

---

[1] This law requires registration of out-of-state institutions offering credit courses in Idaho. It is not an amendment or addition to existing legislation.

Table 16 (continued)

STATE	Date Original Law Enacted	Date of Most Recent Addition or Amendment	Date Most Recent Regulations Enacted
MO			
MT	?		
NE	1927	1967	
NV	1975		1977
NH	?	1973	Jan. 1975
NJ	1916[2]	1967	Jan. 1975
NM			
NY-1	1910	July 1947	
NY-2	1889	July 1947	April 1973
NY-3	?		Mar. 1971
NC	July 1972	June 1977	Feb. 1976
ND		July 1977[3]	
OH	?		April 1977
OK	1965		April 1971
OR	1975		Dec. 1975
PA-1	May 1937		
PA-2	May 1933	Dec. 1969	Aug. 1973
PA-3	?	?	
RI	1932	1975	1963
SC		June 1977[3]	
SD			
TN	July 1975	March 1976	Feb. 1975
TX	June 1975		Jan. 1976
UT			
VT	July 1973		Mar. 1968
VA-1	1970		Sept. 1970
VA-2	July 1977		1977
WA			
WV	March 1971		Apr. 1976
WI			
WY			

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[2] Legal origin dates from 1916.

[3] This is a new law, not an amendment or addition to existing legislation.

Oversight of out-of-state institutions. Tables 5 and 6 both contain columns indicating special state provisions for dealing with institutions that are incorporated out-of-state but which seek to offer or sell educational programs within the subject state. It is apparent that most states have special provisions for nondegree-granting institutions, while only about half of the state laws/regulations for degree-granting institutions contain such provisions.

For nondegree-granting proprietary schools, at any rate, most state laws fail to even make a distinction between in-state and out-of-state based corporations. Their licensing standards apply to every non-exempted school operating in the state, regardless of where it is incorporated; "branch" schools are considered to be totally new operations and are treated as such. The special provisions of laws in this sector (described in Table 5) normally add additional requirements for the licensing/bonding of sales agents from out-of-state schools. Correspondence schools, especially, because of the easily transportable nature of their courses, are often afforded such special attention.

For out-of-state degree-granting institutions, the applicability of basic state laws governing in-state degree-granting institutions is not as clear. The special provisions in this sector (Table 6) are much more likely to grant specific authority to apply state licensing standards to out-of-state institutions, no doubt reflecting the fact that some question existed previously.[1] Moreover, it is interesting to note from Table 16 that most of these special provisions are contained in laws/regulations that were enacted or modified in recent years. The significance of this finding will be discussed in the next section.

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[1] An interesting legal analysis of the problems of applicability of state licensing statutes to "external degree" programs, often offered by out-of-state degree-granting institutions, is provided in Chapter Four of Granat, Kaplin, Fort, Lash & Kincaid (1975).

Review of State Laws and Regulations (Public Sector)

No detailed or summary analyses of the laws and regulations on the public sector were attempted. As noted previously, it was felt that the amount of information contained in the abstracts of these documents did not justify further analyses. What follows is an overview of the consumer protection provisions of state laws and regulations concerning the governance of public postsecondary educational institutions.

All states have evolved a system for the governance of their postsecondary institutions. Generally, there are at least three types of institutions involved (colleges and/or universities; junior and/or community colleges; and vocational/technical institutes) and at least three types of governance structure (a comprehensive, all-encompassing state system for postsecondary governance; a statewide governing board or commission for each [or any combination] of the institutional types; and individual institutional governing boards with a non-governing statewide planning or coordinating structure). Most of these governance structures draw their authority from the state constitutions and interact in a delicate balance of powers with the state legislatures. It is apparent that the number of permutations and combinations under such a system is more than 50, and it seems that each state is unique in one or more aspects of its governance. We did not attempt to perform any analyses of state postsecondary education governance structures, per se; and in fact we did not even abstract laws/regulations that dealt with functions other than those potentially related to the state-level control of institutional consumer protection policies, practices, and conditions (see Table 1, page 6, regarding the primary focus of the study).

Several states (Connecticut, Georgia, Maryland, New York, Pennsylvania, and Virginia) have state systems of postecondary education that do not differentiate between public and private institutions. New York and Connecticut, for example, require all institutions and programs to be licensed (or "registered") and then approved by the state before they can operate; the other states require institutions to be licensed before they can confer degrees. The provisions for this licensing and approval have been covered in the previous section on laws/regulations applicable to the private sector; they are not covered again here.

The majority of state laws and regulations in the public sector are general, tending to address policy issues that seldom focus on consumer protection. The major types of laws that represent exceptions to this generalization are recent laws that regulate (1) two-year institutions and (2) out-of-state public institutions seeking to offer external degree programs.

Curriculum and graduation requirements. Sixty percent of the state laws and regulations provide at least minimum standards for the areas of curriculum offerings and graduation requirements. In the states with little oversight, the language is often very simple. For example, in Montana community colleges are authorized to offer associate degrees and certificates of completion in academic, occupational and vocational areas approved by the Board. Included in the same regulations is the statement that academic curricula shall consist of all courses normally offered in the lower division of baccalaureate-granting institutions. Other states, such as Oregon, are more explicit in their community college regulations, requiring that specific technical and vocational courses should be related to employment opportunities and that transfer courses will provide adequate preparation for students to transfer with a minimum of difficulty to four-year institutions. In both of these examples, although general supervision and control of each college is delegated to a district board, the state retains approval of curricular offerings and prohibits the district board from granting baccalaureate degrees.

Pennsylvania and Virginia provide examples of states that mandate far more than minimum curriculum and degree-granting standards in two-year institutions. Total semester and/or quarter hours and percentages of credits in a student's field of specialization and in general education courses are specified for associate degrees. However, these same states are less specific in their oversight of the public four-year colleges and universities. The separate institutional governing boards retain much of the control over curricular offerings and graduation requirements, usually on the basis of regional accreditation standards. In general, statewide curriculum and program approval authority is more often limited to proposed and new programs than to an overall review and approval of existing programs.

Faculty. Qualifications of instructional or administrative staff are mentioned in the laws of more than half the states. A majority of those laws specify qualifications for faculty in two-year public institutions. Much of the language is general, however, allowing various boards to appoint individual faculty members and to fix salaries, often with recommended statewide minimums for education, experience, and teaching loads. A few states do prescribe for their state systems items such as "teaching faculty must have special competence in the fields in which they teach," and "each program should have at least one faculty member with an earned doctorate in the field." For the most part, the policies covering administrative details such as faculty-student ratios, tenure, and faculty grievance procedures appear to be in non-abstracted statements of board policies or guidelines. Exceptions are found in the regulations of states such as New York, where qualifications apply to both the public and private sectors. In that state, for example, the language states that faculty-student ratio shall achieve maximum effectiveness in instruction. Pennsylvania's state university regulations specify that teaching schedules for faculty shall provide adequate time for research and counseling students. Again, however, the actual work load is left to the discretion of the institutional governing board.

Facilities. The issue of protecting the student by providing safe and adequate facilities is usually presented in general terms, such as "sufficient in quality and quantity to serve the students enrolled." It is difficult to determine from the abstracted laws and regulations whether new program approval by state agencies may also include evaluation of the adequacy of facilities. This issue is tied in with overall state responsibility for determining the educational needs of students in the state and the facilities required to meet those needs. For this reason, it may be considered superfluous to include those standards in the legislation.

Adequacy of library facilities is mentioned in close to 40 percent of the state laws and regulations. Regional accreditation standards are often specified for learning resource centers and libraries.

Financial stability and recordkeeping. Most of the laws governing statewide systems of public education specify that a uniform system of financial recordkeeping be maintained. This usually includes the annual budget requests and an annual report of institutional income and expenditures. Of the 28 states that mention financial practices, more than half deal specifically with two-year institutions. This is probably because state aid to community colleges and vocational schools is often given on the basis of average daily student attendance, an extension of the long-established method for state support of secondary schools. Disbursement formulas for state funds are specified in several laws pertaining to two-year institutions.

The lines of state financial control over postsecondary vocational education are hazy and sometimes overlap between funding sources. For example, the Public School Finance Act in New Mexico controls the state financial support to technical and vocational institutes and area vocational schools. The state Board of Educational Finance has financial oversight over the public higher education institutions, which may include vocational and technical curricula in the branch community colleges. Similar divisions of statutory financial responsibility appear in several states, paralleling the states' structures for supervision of vocational education.

The problems of financial stability in public postsecondary institutions simply do not compare with those in the private sector. Public institutions may be underfinanced, may undergo major program surgery, or may be prevented from growing by statewide caps on spending, but they rarely die suddenly. Instead, provisions are made to combine schools or delete unproductive programs. State legislatures act on the budgets recommended or approved by state or institutional governing boards. Most state systems submit single appropriations requests and disburse funds according to institutional budget requests. The ultimate power and control of financial stability, therefore, resides in the legislative bodies and not in state oversight agencies. Such agencies, when faced with decisions regarding ineffective and costly programs, can usually phase out those particular programs. In Pennsylvania and Virginia, for example, public as well as private institutions are expected to project income figures indicating support of programs for a specified number of years.

Admissions. More than half of the states have laws and regulations that touch on the subject of student admissions. Their language usually indicates that qualified residents shall not be denied admission on the basis of race, sex, or religion. "Qualified" is usually defined as a high school graduate or the equivalent. Some have restrictions indicated by phrases such as "able to benefit or profit from the training or education." Texas law does allow the higher education coordinating board to consider plans for selective standards of admission when institutions of higher education approach capacity enrollment.

Many of the public laws define "resident" precisely, primarily because tuition charges vary widely between residents and nonresidents. This is true most often in the four-year colleges and universities, but can apply to community colleges as well.

Few states specify admission policies as thorough as Virginia's standards for community and junior colleges. These standards require that: (1) admission policies be clearly expressed and openly published; (2) acceptance of transfer credit and readmission of suspended students be defined; (3) students not meeting initial requirements may be enrolled in preparatory programs to become qualified; and (4) programs of preregistration, orientation, and guidance and counseling should give new students an understanding of college life.

Disclosure of information to students. Few laws and regulations in the public sector address the consumer protection issue of adequate disclosure of information to students. Connecticut law requires institutional catalogs to describe curriculum offered and units of credit offered and to clearly state tuition, fees, and refund policy. Descriptions of facilities, student services and organizations, sources of financial assistance, administration and faculty listings, and room and board accommodations must also be included in catalogs and made readily available to the students and the general public.

Arizona's regulations delegating community college governance to district boards require that districts supply current copies of catalogs to the state board, and that changes affecting curricula or college calendars be filed with the board. Catalogs must include admission and fee policies and the school calendar. Nine other states either authorize state-level agencies to review catalogs from public institutions and/or specify items which shall be included in college catalogs.

Oregon's law governing state-supported higher education is unique in that it also includes a provision on advertising practices. Advertising and publicity on behalf of public higher education are functions reserved for the Department of Higher Education and are to be released only under the Department's name. Any advertising or publicity must present the prospects for employment in the fields of study offered.

Several planning and coordinating commissions have an information center function. Although it is not actually oversight, public disclosure of factual information is the end result. An Alabama statute directs its Commission of Higher Education to conduct a program of public information to inform citizens about matters of importance to higher education in the state. Massachusetts requires its Board of Higher Education to operate an educational opportunities information center to provide information and assistance to prospective college and university students, and to public and private institutions of higher education on matters regarding student admission, transfers, and enrollment.

Several states do prohibit terms such as "college," "university," or "approved" from being used by public institutions unless the institutions have adhered to their lawful authority to do so. This stipulation appears to be one method used to prevent deceptive or fraudulent advertising practices, even when detailed regulations for state oversight do not exist.

The Ohio Interuniversity Council and the Ohio College Association took an interesting voluntary step toward increased protection for students. They adopted a Code of Ethical Practice for Student Recruitment Advertising, requiring that complete and accurate information about state-assisted universities be provided to students and parents. It insures that advertising through the mass media to recruit students, and all other promotional materials, shall comply with the code, which prohibits practices such as promises of employment or incentive payments to recruit students.

Student records. Fifteen states have statutes indicating institutional requirements for student recordkeeping. Most of these laws are concerned with the safe maintenance of permanent and complete student records. Consistent with other provisions for student protection, states with laws addressing both public and private institutions address this issue with greatest specificity. For example, if a New York or Connecticut educational institution's incorporation is dissolved, its permanent academic records must be filed with the state, unless directed otherwise by court order.

Refund policies and practices. Student refund policies are rarely specified in state laws or regulations. One possible reason for this is that, in general, tuition in state-supported institutions is low (for state residents at any rate) and is a matter for constant negotiations between institutional governing boards and state agencies.

Eight states have mention of refund policies in their laws and regulations. Connecticut and Virginia, for example, require that a "fair and equitable refund policy" be established and then published in the school catalog. Pennsylvania's Community College Act specifies deadlines beyond which partial refunds will not be granted.

Placement and follow-up. In light of the rapid growth of postsecondary vocational school systems and occupational programs in community colleges, it is surprising to find that so few states have legislation mandating placement services and follow-up practices. Since the institutional purpose or mission statement for postsecondary occupational schools often includes the preparation of students for employment, it would appear that placement and follow-up of graduates would also be mentioned. With few exceptions, this is not the case.

Pennsylvania requires its state-owned colleges and universities to provide professional placement services for their graduates, but does not require such services for community colleges. New Jersey's regulations direct each community college to provide adequate student services such as job placement (but its earlier law concerning higher education neglects mention of those same services). Although standards for approval of associate degree programs in Ohio require a review every five years of graduates' job placement records, no provisions are evident in the regulations to require student placement services.

Colorado's Board for Community Colleges and Occupational Education can enter into cooperative arrangements with the state employment sytem, making occupational information available to students and informing public employment offices about qualified graduates. The rules under which Iowa's area vocational schools operate authorize a follow-up of terminating students to determine how well students have succeeded, and which adjustments in the curriculum need to be made.

Enforcement. Procedures for enforcement of state laws and regulations vary from discontinuance of programs to the withdrawal of state funds. Rarely does the language specify penalties such as fines for noncompliance. One exception is found in Oregon's public higher education law, which makes it a misdemeanor to violate the regulation concerning budgetary matters, advertising, and the purchase of real property.

The states with laws coverning both the public and private sectors also have more stringent enforcement procedures. In these cases, penalties, including fines, may be specified. The unauthorized conferring of degrees in Connecticut, Virginia, Massachusetts, Maine, and Pennsylvania carries a fine, in some instances, of up to $1,000. Falsifying credentials issued under the Regents' seal of New York is a felony, and the fraudulent issue of a degree in Montana and New York is a misdemeanor. Unaccredited institutions in Maryland that fail to file a written notice and be approved to grant degrees are subject to much stiffer fines of not less than $1,000 nor more than $10,000. In addition, violators may be imprisoned for up to ten years. Although Louisiana's combined statute requires only that degree-granting institutions register and update registration annually, the failure to do so can result in the Attorney General seeking injunctive relief against the institution. Perhaps more drastic than a fine and certainly equally effective is the enforcement procedure of withdrawing or withholding state funds from an institution. Nine states have legislation authorizing the state boards or commissioners to withhold state funds for noncompliance or for operating a school without state approval (Florida, Georgia, Iowa, Kansas, North Carolina, Ohio, South Dakota, Wisconsin, Texas). Withholding state aid is often combined with withdrawing approval. That is, as long as an institution fails to receive approval or is removed from the list of approved schools, it shall not be entitled to state aid. Of course, the laws allow institutions an appropriate period of time to correct deficiencies.

Removing institutions from the list of approved schools is an enforcement technique granted to several state boards. New Hampshire lists out-of-state institutions without accreditation by the commission as nonapproved and publishes the action throughout the region. Out-of-state institutions operating in violation of Texas law are subject to termination of their operations within the state. Other states prohibit unapproved institutions from continuing any publicity about their programs.

For those states with authority to grant degree-granting status, revoking the degree-granting privilege from an institution that fails to maintain acceptable standards is part of the enforcement.

Finally, the Board of Regents in Rhode Island is empowered to investigate all transactions relating to public education, summon witnesses and require testimony and records. New Jersey's Board of Higher Education has subpoena power to compel the appearance of witnesses and records.

Out-of-state institutions. More and more public institutions are expanding their educational operations beyond the boundaries of their home state, basically because such operations are profitable. Probably as a result of the proliferation of such out-of-state operations, laws of seven states now include public out-of-state institutions within their purview. New York and Connecticut require all out-of-state institutions to submit their branch campus or instructional plans for approval by the Regents and the Commission for Higher Education, respectively; such institutions must first be accredited to operate in their home states by the appropriate state and regional accrediting bodies. West Virginia's Board of Regents uses standards of the North Central Association to evaluate and accredit all out-of-state institutions offering courses or degree programs in the state. New Hampshire's law, delegating the planning and coordination of postsecondary education to a state commission, also authorizes the commission to evaluate, approve or disapprove, and accredit any out-of-state institutions of higher learning. In contrast, Louisiana simply requires out-of-state degree-granting institutions to register with the Board, the same requirements demanded of in-state schools. A Virginia law effective in 1977 prohibits any institution of higher education, controlled by a body organized out of state, from offering a course for credit or a degree program without first registering with and being authorized by the Council for Higher Education. The law is especially thorough in that the conditions for authorization include full accreditation by a USOE-recognized accrediting body, consumer protection features in the advertising requirements, and an annual renewal process.

A subchapter of the higher education laws of Texas appears to be unique in that it is concerned with the regulation of public institutions of higher education domiciled out-of-state. Those schools must have the approval of the coordinating board before offering courses within Texas.[1]

Although state laws may not specifically mention the licensing of out-of-state schools, it appears that the comprehensive laws giving state agencies stringent oversight powers can be interpreted to include public out-of-state schools as well. For example, Pennsylvania's nonprofit corporation law (which includes reference to tax-supported institutions) provides a mechanism for state control of foreign corporations by requiring an educational corporation to obtain approval from the Secretary of Education before the Department of State can issue a certificate of authority.

Survey of State Enforcement Mechanisms, Resources, and Desired Assistance Strategies (Private Sector)

Appendix L contains a summary of responses from heads of 82 state agencies that oversee private institutions. This appendix also includes the text of a Telephone Interview Guide used to obtain the responses; the guide was based on the Questionnaire for State Authorizing and/or Regulating Agency heads for nondegree-granting and degree-granting institutions (Appendices D and E, respectively). The state-by-state data summarized in Appendix L are contained in Appendix N.

These appendices contain much more information than can be discussed here. However, what follows is an attempt to identify some of the highlights. The data are summarized in three separate categories: (1) agencies whose heads indicated they exercised responsibility for only nondegree-granting institutions (NDG); (2) agencies whose heads indicated responsibility for degree-granting institutions (DG); and (3) agencies whose heads indicated responsibility for both nondegree and degree-granting institutions (Both). Interestingly, the numbers of institutions in these three categories do not parallel the numbers that would be expected, based on the analyses of laws/regulations reported previously. Since all state agencies but one in our private agency universe did respond, we investigated to determine the sources of the discrepancies:

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[1] New Mexico has recently enacted a similar law that was not received in time to be abstracted.

	From Analysis of Laws (Table 4)	From Self-Report (Appendix L)	Discrepancy
NDG	41	35	-6
DG	38	34	-4
Both	8	13	+5
Total	87	82	-5

It is apparent that most of the discrepancy stems from agencies that claimed jurisdiction over both types of institutions in cases where we did not find evidence of dual jurisdiction in their laws/regulations; but the problem is more complicated than that. We found 19 different states where the pattern of oversight claimed by state agency heads differed slightly from our judgments of their pattern, as portrayed in Table 4 on pages 19-20. Most of these discrepancies are unimportant; they stem from cases where agencies that apparently oversee only nondegree-granting institutions also exercise some responsibility over several small, specialized (often proprietary) schools that grant associate degrees. This is true for Arizona, Minnesota, Nebraska, New Mexico, Nevada, North Dakota, Ohio, and Pennsylvania. There were a fewer number of cases where our analysis indicated that dual jurisdiction existed, but state agency heads claimed it was not exercised (e.g., Alaska, Colorado, Idaho, Montana, and South Carolina). There was also one case where a state agency head indicated there was jurisdiction where we found none (e.g., degree-granting authority in Missouri -- a situation that resulted from an unabstracted state law that gives the state higher education department authority to determine institutional eligiblity for a state scholarship program).

In general, it seems fair to say that 48 states exercise some kind of authorizing and oversight responsibility for nondegree-granting institutions (plus one, Vermont, which exercises authority only over solicitors), and 38 states exercise such responsibility for degree-granting institutions. In using the data for the "Both" category in Appendix L, it is well to keep in mind that most of these agencies perform basically nondegree authorizing/oversight as their primary function, and this is the way we will treat these agencies in the following paragraphs.

Several of the items in the Interview Guide called for open-ended responses. These responses were summarized and will be referred to occasionally in the following discussion. However, the typed summaries, which are some 85 pages in length, were not thought to be important enough to include in this report verbatim. Copies were sent to the USOE Project Monitor for his files and are also available from the senior author.

Institutions overseen and types of oversight. One question of interest to us was to what extent the word "proprietary" was applied only to institutions incorporated as profit-seeking. Appendix L (page L-1) shows that for the nondegree sector, about half of the responding agencies extend this term also to private not-for-profit institutions. Thus, extreme caution should be exercised when using the term "proprietary schools." An interesting fact to be noted in Appendix N is that of 20 states where both nondegree- and degree-granting agency heads responded to this item, seven disagreed on the meaning of the word proprietary. All but two of these were cases where the degree-granting agency heads thought that proprietary referred to only profit-seeking schools, whereas the nondegree-granting agency head stated that the word was applied to private non-profit schools as well.

Item A1 contained the list of functions that we interpreted as constituting authorizing and oversight. For the private sector, it can be seen in Appendix L that the institutional licensing and course approval functions predominate. In the nondegree-granting (NDG) sector, slightly fewer agencies regulate courses than institutions and in the degree-granting (DG) sector this finding is reversed. From item A2, it may be seen that most (39 of 48) NDG agencies require bonds or licenses of salespersons; only 7 of 34 DG agencies require bonds or licenses. Eighteen of 48 NDG agencies (37%) and 9 of 34 DG agencies (26%) also perform the course approval function under contract to the VA.

Item A3 presents several interesting findings. NDG agencies regulate an average of 108.6 institutions and DG agencies regulate an average of only 31.5 institutions. These averages and all other averages to be reported here must be treated with one caveat. Since some respondents were unable to provide data on all items, averages had to be calculated based on the number of agencies that did respond. For the figures above, the NDG average is based on an N of 45 rather than a possible N of 48, and the DG average is based on an N of 24 rather than a possible N of 34. It is impossible to estimate the effect of the missing data for every item; it is thus necessary to assume that the obtained results are an unbiased estimate of the results that would have been obtained from answers by all respondents. For every item for which averages are reported, the N is also reported, in italics. For categorical items, missing data are tabulated as "MD."

Item A3 also shows that for the course approval function, an average of 159 NDG institutions and 34 DG institutions are regulated (based on N's of 31 and 23 states respectively). In addition, 24 NDG agencies (54% of the 44 responding agencies) and 15 DG agencies (54% of the 28 responding agencies) reported that there were "significant" numbers of institutions operating in their states without any oversight. In general, these are institutions exempted from oversight because they are religious-affiliated, accredited, eleemosynary, offer avocational courses, or, especially in the degree-granting sector, are exempted from oversight because of "grandfather" provisions in the licensing laws. Finally, item A3 presents data for the average number of institutions for which additional functions like VA course approval and salesperson licensing are performed. For example, 38 NDG agencies each license an average of 280 salespersons.

Enforcement resources. Item A4 summarized in Appendix L (and presented state-by-state in Appendix N) shows the annual revenues and personnel resources reported by state agencies; revenues are broken down by source: state general fund, licensing fees, VA contract reimbursements, other state sources, and other non-state sources. In general, except for course approval for the VA,[1] we attempted to limit the figures reported by states to those revenues provided for the authorizing and oversight function as we defined it; revenues for other functions were included only if it was impossible for the respondent to break out the costs of the non-oversight functions. Since we were not always successful in this regard, especially in the DG section, these figures may somewhat overestimate the state funds that are expended for institutional licensing and course approval. The average figures for total revenue are $141,868 for 44 NDG agencies and $263,834 for 27 DG agencies. For NDG agencies, the range is from zero dollars in South Dakota to $894,700 in California; for DG agencies, the range is from zero dollars in South Dakota to $1,200,000 in Oklahoma.[2] Item A6 shows that 46 NDG agencies have an average of 5.5 FTE staff persons and 31 DG agencies have an average of 15 FTE staff persons.

In an attempt to put these figures into a proper perspective relative to the numbers of institutions actually overseen, a special analysis was performed for total revenues, total revenues minus VA course approval revenues, and FTE staff. The results of this analysis are presented in Tables 17 and 18. It may be seen that for NDG agencies the revenue dollars per institution, minus VA revenues, range from $3,445 in Maryland to zero in Maine, New Hampshire, and South Dakota, For DG agencies, the range (excluding the states that could not separate out the authorizing/oversight function) is from $17,500 in Rhode Island to zero in South Dakota. The range of institutions per FTE staff person for NDG agencies is from 900 in West Virginia[1] to 1.6 in New Hampshire; for DG agencies the range is from 83.3 in Kansas to 0.7 in Rhode Island.

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[1] This function was excepted because in some cases the oversight function and the VA course approval function take place simultaneously and are impossible to separate.

[2] The state of Oklahoma reported $1,200,000 in revenues for the entire state higher education system and could not estimate what portion was devoted to the authorizing/oversight function. The DG figures reported for Arkansas, Connecticut, Maryland, Missouri, New Hampshire, New Jersey, Oregon, and West Virginia also include significant amounts devoted to other functions.

Item A8 shows that most NDG agencies require renewal of licenses annually; for the DG sector, about 40% of those agencies reporting require annual renewal; the remainder have cycles ranging from 2 to 10 years or require renewal at irregular intervals. Item A9 shows that 30 NDG agencies and 20 DG agencies reported they have made "significant" changes in their laws/regulations during the past five years. In considering these changes, 20 NDG and 11 DG agencies reported some use of the ECS Model Legislation;[2] 22 NDG and 10 DG also reported some use of the laws/regulations of other states. Indiana and Ohio laws were used most often in the NDG sector, and Florida laws were used most often in the DG sector.

Item A14 shows that 40 NDG agencies (85%) and 31 DG agencies (91%) make on-site visits to schools as part of the authorization/oversight process. Item A15 contains information about the qualifications of initial authorization site visitors, the duration of these visits, and whether or not authorization visits occur in conjunction with other types of site visits, such as accreditation agency or VA course approval visits. Item A15e shows that most of the agency teams (89% for NDG and 93% for DG) seek to apply some fixed educational standards or criteria during their authorization site visits. Item A16 provides similar data for oversight visits, which occur about every year on the average for NDG institutions and about every 3 1/2 years on the average for DG institutions.

Item A17 requested respondents to determine whether or not their procedures contained special variations or distinctions for special types of institutions or programs. One especially interesting finding in item A17b is that only 4 of 47 responding NDG agencies and 6 of 34 responding DG agencies reported any variations for non-traditional programs -- with most apparently applying their traditional standards and criteria to these programs.

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[1] Based on a FTE of less than one.

[2] A total of 23 states had used the ECS Model Legislation.

TABLE 17

STATE AGENCY REVENUES AND STAFF AS A FUNCTION OF NUMBER OF PRIVATE NONDEGREE INSTITUTIONS OVERSEEN

State	Total Revenues per Institution	Total Revenues Less VA Revenues per Institution	No. of Institutions per FTE Staff
AL	$ 2,778	$ 146	8.6
AK	missing data	missing data	9.8
AZ	331	331	74.0
AR	464	464	41.6
CA	681	297	44.9
CO	1,614	1,614	14.0
CT	492	492	61.0
DE	1,316	1,316	12.7
DC	missing data	missing data	missing data
FL	357	357	51.6
GA	453	453	49.0
HI	873	873	35.0
ID	128	128	195.0*
IL	1,018	1,018	19.6
IN	1,459	1,214	12.7
IA	83	83	150.0*
KS	469	469	40.8
KY	308	308	120.0
LA	350	350	50.0
ME	5,778	0	missing data
MD	3,445	3,445	3.3
MA	missing data	missing data	24.0
MI	missing data	missing data	150.0
MN	1,679	1,679	15.0
MS	317	317	94.0
MT	2,494	2,494	8.0
NE	1,345	448	13.4
NV	2,059	1,200	12.9
NH	15,500	0	1.6
NJ	979	545	46.0
NM	1,250	1,250	10.7

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*FTE < 1.0

Table 17 *(continued)*

State	Total Revenues per Institution	Total Revenues Less VA Revenues per Institution	No. of Institutions per FTE Staff
NY	$ 542	$ 542	36.9
NC	3,550	50	5.0
ND	missing data	missing data	75.0*
OH	225	225	76.8
OK	471	317	41.7
OR	1,034	128	29.2
PA	658	658	25.3
RI	636	636	18.3
SC	4,223	715	4.6
SD	0	0	70.0*
TN	missing data	missing data	50.0
TX	3,290	823	5.9
VA	584	584	29.0
WA	missing data	missing data	missing data
WV	4	4	900.0*
WI	1,348	373	13.8
WY	missing data	missing data	missing data

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*FTE < 1.0

TABLE 18

STATE AGENCY REVENUES AND STAFF AS A FUNCTION OF NUMBER OF TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS OVERSEEN

State	Total Revenues per Institution	Total Revenues Less VA Revenues per Institution	No. of Institutions per FTE Staff
AR	incomplete data	incomplete data	incomplete data
CA	incomplete data	incomplete data	incomplete data
CT	incomplete data	incomplete data	incomplete data
DE	12,500	12,500	1.3
DC	361	361	46.7*
FL	1,444	1,444	15.4
GA	missing data	missing data	missing data
HI	missing data	missing data	missing data
IL	242	242	72.9
KS	missing data	missing data	83.3*
KY	1,111	1,111	22.5
ME	12,444	12,444	1.8
MD	incomplete data	incomplete data	5.8
MA	2,214	1,262	10.5
MI	849	212	26.5
MN	missing data	missing data	0.0
MS	missing data	missing data	missing data
MO	missing data	missing data	missing data
NE	1,361	1,361	11.2*
NH	incomplete data	incomplete data	3.0
NJ	incomplete data	incomplete data	1.5
NY	3,030	3,030	12.7
NC	missing data	missing data	missing data
OH	583	583	60.0
OK	incomplete data	incomplete data	incomplete data
OR	incomplete data	incomplete data	incomplete data
PA	missing data	missing data	missing data
RI	17,500	17,500	0.7
SD	0	0	10.0*
TN	2,500	560	8.0
TX	2,353	2,353	8.5
VT	471	447	11.3
VA	1,167	1,167	12.0
WV	incomplete data	incomplete data	incomplete data

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* FTE < 1.0

Item A18 indicates that only 62.5% of NDG agencies and 62% of DG agencies report they have "standing" before a court of law to seek injunctions or other legal sanctions against schools that violate their laws/regulations. Apparently, those that do not have standing are required to involve their states' attorneys general before seeking injunctions or invoking other enforcement strategies.

One of the items showing the greatest differences between NDG and DG sectors is item A21, which asks about student complaint handling mechanisms; 38 NDG agencies (79%) have a central procedure for handling student complaints while only 10 DG agencies (29%) do so. Item 23 shows that every NDG agency except one got at least one student complaint last year, while slightly more than half of the DG agencies got complaints. NDG agencies averaged almost 46 complaints per year, while DG agencies averaged less than half that many (21). These figures must be tempered by the fact that almost all of the agencies required student complaints to be made in writing before they could be considered (see item A21a).

The most common topic of student complaints (A23) was clearly refund practices, with instructional programs and facilities placing a poor second in the NDG sector and strong second in the DG sector. This is not surprising, in view of the fact that one common step for students who feel they have been abused is to seek a refund, which may thus come across as the primary topic of many complaints. Respondents reported that by far the majority of their student complaints were followed up and resolved by informal agency staff action, using only the threat of formal actions; fewer than 10% of NDG complaints and 2% of DG complaints actually became the basis for formal investigations, hearings, or court actions.

In item A27, only 8 NDG and 7 DG agency heads indicated that their agencies regularly made public the names of schools whose authorization to operate had been revoked or limited; on the other hand, 39 NDG and 27 DG agencies regularly supplied the public with lists of approved schools. Only 13 out of 48 NDG agencies and 7 out of 34 DG agencies supplied any kind of information about student consumer rights to the general public.

More than half of the NDG agency heads (56%) reported they had passed on information about their enforcement actions to licensing agency staff in other states; this was true of only 45% of the DG agency heads (item A28). Only 47% of the NDG and 40% of the DG agency heads reported they had ever sent information to USOE about their enforcement actions.

Item B1 of the Interview Guide sought to determine whether or not agency heads felt they had authority to act to prevent/correct student abuses of eight different types,[1] and whether or not they had so acted in the past. With few exceptions, the NDG agencies had authority and had exercised it. Consistent with the data on complaints and complaint follow-up action, fewer DG agencies (around two-thirds) perceived they had authority and only about one-third had ever acted on it.

Item B2 shows that, on the average, each of 33 reporting NDG agencies carried out around 24 informal agency actions (informal hearings, meetings, etc.) with respect to some form of institutional abuse or potential abuse during 1976; the same figure for 31 DG agencies was only about six. On the average, less than five formal hearings were carried out in 1976 by these NDG agencies; less than 0.3 were carried out by the DG agencies. Finally, there was about one formal court action, on the average, for every two NDG agencies in 1976 and about one for every ten DG agencies.

Desired assistance strategies. Part C of the Interview Guide asked agency heads to rate each of 12 possible strategies that might be employed by the federal government (especially USOE) in helping them to improve the authorizing/oversight function in their state with respect to student consumer protection. A five point scale was used, with 5 = great potential benefit and 1 = no potential benefit. Agency staff could also add strategies if they were not mentioned in our list. For NDG agencies, the highest rated strategy (average rating 3.47) was for the federal government to provide operating funds for state agencies to carry out inspections to certify institutional eligibility for federal student assistance programs; this was followed closely by a strategy for the federal government to match state monies spent to install new or augment existing school inspection functions. Generally lower ratings for all strategies were obtained in the DG sector, where the highest rated strategy (average rating 2.94) was for the federal government to fund research and development efforts aimed at helping the states eliminate institutional abuses to students. Both sectors gave relatively high ratings to federal sponsorship of (1) regional/national conferences, such as the

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[1] The types are similar to eight of the coverage categories described earlier in the section on review of state laws/regulations: refund policies, advertising practices, recruiting practices, disclosure, staff stability, financial stability, instructional program and facilities, and recordkeeping practices.

Keystone workshop, to promote mutual communications among the states and the other participants in the triad eligibility system and (2) a clearinghouse for sharing of information among state agencies about formal actions taken, problems encountered, strategies utilized, etc.

Among other strategies suggested were for USOE to take a stronger position in recognizing accreditation agencies, whose accreditation is used by some states to exempt institutions from state licensing requirements, and for the federal government to stay out of the area of state licensing and approval entirely.

Survey of State Enforcement Mechanisms, Resources, and Desired Assistance Strategies (Public Sector)

Appendix M contains a summary of responses from staff in 102 state agencies that oversee public institutions. This appendix also includes the text of the Telephone Interview Guide used to obtain these responses. The public sector questionnaire on which the guide was based is found in Appendix F. No state-by-state listing of responses is provided for the public sector data.

As discussed previously in the analyses of the public laws and regulations, the patterns of statewide governance over public institutions vary widely. Some states have one system with a single board (e.g., New York), some have separate boards for each discrete system (e.g., California), and some allow institutional autonomy through individual governing boards (e.g., Michigan). Although the data in Appendix M are summarized in four separate categories, the lines between the categories are not clear and require explanation. The first category summarizes data from agencies indicating responsibility for four-year degree-granting institutions (4-year DG); the second category summarizes data from agencies indicating responsibility for two-year degree-granting institutions (2-year DG); and the third category summarizes data from agencies indicating responsibility for nondegree-granting institutions (NDG). The fourth category, Other, summarizes data from agencies indicating responsibility for various combinations of institutions. For example, in some states a single board or agency may have the authority to oversee a university system that includes two-year branch campuses similar to community/junior colleges. Other states have boards with responsibility for vocational education, whether offered in two-year degree-granting institutions or postsecondary nondegree vocational schools. Therefore, in using the data for Appendix M, it should be remembered that responses for the first three columns are discrete (only four-year, two-year, or nondegree granting) and responses for the last column include only agencies with a combined responsibility.

Types of oversight. Item A1 contains the list of functions defined in this study as authorizing and oversight for consumer protection purposes. In the public sector, institutions historically have been established in the state constitutions or through direct legislative action. Certainly Item A1a reflects the lack of state agency responsibility for institutional authorization. It can be seen in Appendix M that the function of authorizing courses or programs predominates. Comparisons between the analyses of public laws and regulations and these data corroborate this finding -- new program approval is a major oversight function in the public sector. Item A1d indicates that once a program or course has been approved, further regulation or review does not occur as often, except in the occupational (NDG) area. Approximately half of the agencies with responsibility for public institutions have the additional functions of program planning, coordination, and budgetary review (Items A2c, d). This finding also concurs with our analyses of the public laws and regulations.

A striking difference between the private and public sectors is evident in the responses to Items A3 and A4. These questions asked agency staff to approximate the number of institutions for which they performed each oversight function and the number of fulltime persons employed by the agency. While the private sector reported large numbers of institutions and small numbers of staff, the situation in the public agencies appears to be reversed. This is easily explained, however, by the fact that state boards governing public postsecondary education have many more functions than oversight, and that it was impossible to break out the number of persons actually concerned with that single function. In addition, although smaller in number, public institutions tend to be larger in size. Course authorization for the public sector (A3c), for example, is exercised for an average of 17.2 institutions per agency. As with the private sector data, averages are calculated based on the number of agencies that responded to an item. The N's are reported in italics.

Enforcement resources. Items A5 through A8 are concerned with on-site school visitations made by state agency staff, both for initial authorization and for continued regulation of programs or institutions. About 75 percent of the respondents indicated that site visits were made, most often by state staff with the addition of qualified consultants who are experts in the areas to be examined. A closer look at the responses to A6, 7, and 8 shows far less than that 75 percent figure, because of a fairly high rate of omitted and missing data. There appears to be no question that on-site school visitations are made in the public sector; the discrepancy lies in the difficulty in determining whether a visit is for authorization to operate and/or for continued regulation and oversight. An added explanation may be found in responses that indicated boards regularly met at state campuses on a rotating basis. Such meetings may have been considered as "site visits" by some respondents. For whatever purpose a public institution was visited by staff of state agencies or boards, the average duration was two days and the average frequency in years between site visits was 2.3 years.

Item A8 asked whether agencies' authorization or regulation procedures varied for special types of institutions or programs. A large majority showed little or no distinction between their procedures except in the case of nontraditional programs (Item A8b). In this instance, the answers tabulated separately show a degree of flexibility in the evaluation standards used; that is, there is a greater "reliance on competency-based outcomes" and such programs may be more often "looked at with nontraditional criteria."

A majority of the state agencies, according to our data (Items A9 and A10), has no central complaint handling system or procedure for the public sector; information derived from student complaints most often is retained by the institution not the state agency. This is not surprising in light of the verbal responses obtained during the state interviews; state agency staff usually indicated that complaints were most often handled by the institutions themselves.

This is not to say that complaints were not received by state agencies. A majority of the states reported (on Item A11) that some complaints were made directly to the agencies, and that most of them involved admission practices and instructional programs and facilities. It may be that because some institutions offer occupational programs, students who are not placed in jobs tend to complain about the program. In this instance, public and private schools may be more similar than dissimilar. Unlike the private sector, where problems with refund practices were most common, the public institutions showed few complaints about refunds. Respondents reported that by far the majority of their student complaints were followed up and resolved by informal agency staff action.

Section B1 of the Interview Guide sought to determine whether agency heads felt they had authority to prohibit institutional practices that might be abusive to students, and whether they had actually done so. Most of the agency heads stated that they did have the authority to prohibit such practices, but a much smaller group indicated that they had actually exercised that responsibility. The lack of state agency action is substantiated in Item B2. The data are also consistent with the responses to complaint handling -- most often informal action is taken and usually at the institutional level.

Desired assistance strategies. Part C of the Interview Guide asked agency heads to rate possible federal assistance strategies that might help them to improve their oversight function. The highest rated strategies across institutional categories showed little consistency, except in the responses to C9, providing inservice education programs to agency staff. In particular, holding conferences to promote mutual communications was a topic of high interest in both the two-year and nondegree-granting sectors. Federal funding for research and planning was generally rated higher than other suggestions for federal funding. Open-ended responses to C10 also mentioned that research and planning funds would be desirable.

Site Visits (Private and Public Sectors)

No attempt was made in the site visits to distinguish between the private and public sectors. Results for this part of the study cut across both sectors.

Accuracy estimates for telephone interviews. Of the 100 persons interviewed during the site visits, 29 had been interviewed previously by telephone. For these 29, in-depth reviews of 22 of the telephone items produced a need for minor changes in only 12 items (on three questionnaires); in general, these changes involved modifying what had been incomplete data. We concluded that the telephone interviews had obtained data with an acceptable level of accuracy, relative to what could have been obtained by in-person interviews.

Critical incidents of successful and unsuccessful agency actions. The facts and figures presented up to this point do not allow the reader to obtain a complete picture of the nature of state oversight. In an attempt to provide an in-depth picture, we collected and transcribed 198 actual examples of cases where state agency officials felt they were particularly successful or unsuccessful in preventing or correcting an abuse or potential abuse of students. All incidents are contained in the Technical Addendum to this report; we suggest that they be read by anyone who desires a better understanding of the problems and prospects for state oversight.

In all, 131 incidents were classified as successful: 86 for prevention and 45 for correction; 67 incidents were classified as unsuccessful: 37 for prevention and 30 for correction. A comprehensive detailed analysis of the incidents was beyond the scope of this study; however, several generalizations appear justified. Most of the practices, policies, and conditions in schools that were considered to be abusive by state agency officials could be classified under one or more of the categories included in Table 1 on page 6. The small percentage that did not fall into these categories could be more properly called "unfair" or "misleading" practices. Over three-fourths of the abuses came to the attention of the state agencies by way of student or parent complaints. About 20% were discovered as a result of routine agency monitoring activities; the remainder were brought to light by competitors, agency staff in other states, etc. Most successful agency interventions on behalf of students were done informally, without formal administrative hearings or court actions, and involved one-to-one interactions between school officials and state agency officials. Successful outcomes most often consisted of the students involved receiving a partial refund; many cases also involved the closing of the offending school, more often the result of bankruptcy than of withdrawal of the license. In cases that went to a formal hearing or a court action, outcomes were as likely to be unsuccessful as successful, with many cases resulting in no punitive action being taken against an offending school whose officials agreed to "change their ways." Some of the most disturbing cases involved failure of attorneys general to prosecute cases in court against offending institutions, even after preliminary investigations by state agency officials provided conclusive evidence that state laws had been broken. Most unsuccessful outcomes involved cases where students were unable to secure refunds or further instruction as a result of school closings. Interestingly, the incidents that involved attempts by students to collect under state-required institutional surety bonds were about evenly split between successful outcomes (most students got refunds) and unsuccessful outcomes (students got only partial or no refunds). About 25% of the cases cited dealt with accredited institutions; in general, state agency officials seemed to find the accreditation agencies unhelpful in dealing with problems of student consumer abuse.

Attempts to prevent potential abuses usually involved attempts to require unlicensed institutions to apply for and secure state licenses. More of these attempts were successful, apparently because state attorneys general (and county district attorneys) appeared more willing to prosecute cases of unlicensed operation than alleged violations of licensing criteria or standards.

Specific, illustrative incidents will be cited in the Discussion and Conclusions section of the report.

Needed resources for improved student consumer protection and barriers to their acquisition. The perspectives of different types of state agency officials on these issues are fairly uniform, but with interesting inconsistencies. The Technical Addendum contains summaries of these perspectives for the following groups:

(1) legislators and legislative staff;

(2) attorneys general and staff assigned to educational matters and consumer affairs;

(3) staff of state approving agencies for certifying programs for the attendance of veterans;

(4) 1202 coordinating commission staff;

(5) private degree-granting licensing agency staff; and

(6) private nondegree-granting licensing agency staff.

Interested parties should read the group summaries in their entirety. The following paragraphs represent an overall summary.

With regard to changes and resources needed by state agencies to improve the consumer protection function, there was general agreement that:

(1) more staff members are needed, especially legal staff, to facilitate enforcement actions, and clerical staff, to free professional staff for more effective school monitoring;

(2) stronger laws and regulations are needed, especially to (a) eliminate provisions that now exclude accredited institutions from state agency oversight, (b) provide stronger bonding or tuition indemnification requirements, (c) provide and publicize statewide complaint handling systems, and (d) improve the coordination and communications among state agencies that have various governance responsibilities within states; and

(3) better communications and coordination are needed among licensing agencies in all states, especially to deal with problems created by institutions that operate across state lines.

The chief perceived barriers to making these changes and obtaining these resources were:

(1) unwillingness of legislatures to make adequate appropriations for school oversight, due to a lack of understanding of the nature of the problem;

(2) strong and effective opposition by schools and accreditation agencies to increased levels of state agency oversight;

(3) lack of agreement and cooperation among state education agencies about which agency should perform what functions; and

(4) reluctance of law enforcement agencies and attorneys general to take strong action against educational institutions.

In this context, state agency officials tended to bemoan their lack of legislative support, while legislators pointed out some of the effective lobbying techniques used by state school associations and the inadequate communication and public relations efforts used by state agency officials in return.

Almost without exception, these state officials felt that the powers of the states should be pre-eminent in the area of student consumer protection, with the federal role limited to:

(1) providing more effective internal controls over the federal student aid programs;

(2) providing a communications and clearinghouse mechanism for the states, to allow state agency officials to better (a) share information on their enforcement actions concerning schools that operate in more than one state, (b) achieve more consistent standards and, consequently, more reciprocity agreements for

licensing, and (c) learn from each others' successes and failures;

(3) provide workshops and technical assistance, including legal experts and research studies, that will allow all types of state agency officials to acquire new knowledge, skills, and techniques for oversight;

(4) provide some federal operating funds, possibly on a matching basis, for supporting more state agency oversight, if that oversight is to play a role in the eligibility of institutions for federal programs; and

(5) exercise stronger controls over accreditation agencies that seek to become recognized, especially to prevent them from accrediting unevaluated branch campuses and off-campus programs.

Additional site visit data. In an attempt to obtain data on several enforcement-related questions that were not included in the telephone interviews, we asked all state licensing agency officials three questions. Their responses are summarized below

(1) How many times has the head of this agency changed in the past five years?[1]

	NDG	DG	Both
0 times	6	4	0
1 time	3	2	1
2 times	3	4	2
4 times	1	0	2
missing data	—	1	–
Total	13	11	5

(2) What is the highest level of education of the head of this agency?

	NDG	DG	Both
less than a BA	2	0	0
BA	1	1	0
MA/MS/MEd	6	0	4
MBA	2	0	0
PhD/EdD	2	9	1
missing data	—	1	–
Total	13	11	5

(3) How often in the past year have you communicated with the head of another agency similar to yours in another state about a particular school, school official, salesperson, etc.?

	NDG	DG	Both
Average times by phone	16.1	14.7	33.0
Average times by letter	19.8	11.3	13.4
Overall	35.9	26.0	46.4

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[1] Another perspective on the turnover issue is provided by a special study we conducted matching current incumbents' names with the names of the incumbents interviewed by staff of the California Postsecondary Education Commission (CPEC) in its 1976 study. Six out of 16 agency heads (37.5%) had changed during this one-year period.

DISCUSSION AND CONCLUSIONS

In this section, we will present discussions of some of the crucial issues surrounding state oversight, summing up with our own conclusions, made from what we hope is an unbiased point of view.

States have the Constitutionally-reserved rights and responsibilities to govern their own publicly-supported educational institutions; they also have broad powers over private institutions in areas affecting public health, safety, and general welfare (Kaplin, 1975). Under the rubric of general welfare, state-level oversight attempts to (1) impose basic educational requirements for the award of degrees and other educational credentials and (2) in conjunction with basic consumer protection laws, protect students from fraud, abuse, and unconscionable practices by postsecondary institution operators. This study has concentrated mainly on the latter purpose, because of USOE's major concern with the degree to which state oversight functions to prevent institutions employing abusive practices from becoming elibible for federal programs.

Two Basic Strategies of Oversight

From our analyses of state laws/regulations and enforcement resources/practices, two general strategies of oversight for consumer protection purposes can be distinguished. The first, which we call the broad discretion strategy, provides a general mandate, leaving the enforcement to an agency that may also have powers to create more specific standards and criteria through rules and regulations. The second, which we call the detailed standards strategy, provides a more specific mandate, leaving very little discretion to the enforcing agency. Both strategies have commendable features.

The broad discretion strategy, when not supplemented by detailed regulations, is best identified by brief standards frequently containing words such as "may," "adequate," "sufficient," "good," "satisfactory." To be effective, it depends largely on the judgment, skill, experience, and initiative of the licensing agency staff. It is rapidly applicably to new and innovative forms of abuse, but suffers from its lack of objectivity and dependence on individual interpretations. Different people are likely to make different decisions about the same situation.

The detailed standards strategy is best identified by detailed lists of things schools and their staff must submit, and must or must not do, have, or be. It is likely to be fairly tedious and difficult to apply rapidly to new types of abuse; but when it is applied, it is likely that two or more people can come to the same decision. It has the considerable benefit of requiring less expert judgment for its application, and is thus more understandable by school personnel, law enforcement agency staff, judicial officials, and the lay public. School deficiencies, when communicated to others, can be easily recognized and are more easily rectified.

We have no evidence on ultimate effectiveness that supports one strategy over the other, or a mixture of the two. Given the occasionally reported difficulty of finding and holding experienced staff in key state licensing agency positions, however, efforts to promote the detailed standards strategy will probably have more payoff in the long run. Because it is not dependent upon the availability of highly experienced staff, this strategy is also more amenable to systematic improvement efforts, to be discussed in the final section of this report. The dangers inherent in this strategy are that standards will become trivial and will work to stifle legitimate efforts at educational innovation, in the name of protecting students.

Coverage of Education Laws/Regulations

Making conclusions about the extent of coverage by state oversight laws and regulations for consumer protection purposes is analogous to making judgments about half of a glass of water. Some people may see the glass as half full and some may see it as half empty; yet both are correct. It is clear that the issue is a complex one and that the same facts may be interpretable in quite different ways, depending on one's point of view.

Public sector coverage. One of the primary findings of this study is that state-level oversight for consumer protection purposes has been attempted mainly for institutions in the private sector. In the public sector, consumer protection is viewed primarily as an institutional function, if it is recognized at all, and few state-level agencies assume responsibility for directly regulating institutional consumer protection policies, practices, and/or conditions. There may be good reasons for this lack of activity. Few state agency heads reported receipt of complaints from students in public institutions. Of the complaints received, many were cases where students felt they had been unfairly charged non-resident tuition. The small number of complaints is even more impressive when one considers that public institututions enroll almost three times as many students as private institutions in the U. S. (The Condition of Education, 1976). It seems clear that students in public postsecondary education institutions rarely complain beyond their campus governance structure about perceived abuses.

At least to some extent, the lack of complaints is a result of the lack of an implied contractual relationship between institution and student; in general, students in public institutions, of which a high percentage are degree-granting, do not expect that a certain skill or a specific job outcome will automatically result from their educational experience; thus, although they may expect professional or occupational outcomes, they do not seek to hold the institution to an implied commitment. Students certainly expect fair practice, and it is clear that the major associations of (primarily public) American higher education institutions (e.g., the American Council on Education) are interested in improving institutional performance in these areas (El-Khawas, 1976). It was not within the scope of this study to determine how effective institution-motivated efforts at improving fair practices for students are or will be.

As postsecondary institutions face declining enrollments in the future, heating up the competition for enrollments that maintain state subsidies for tax-supported institutions, it is possible that more state-level attention will have to be paid to the consumer protection policies and practices of institutions in the traditionally-autonomous public sector. This is especially true as public institutions seek to expand their services to new student populations (e.g., adults) and even beyond their state borders. For the remainder of this section, we will confine our discussion to the private sector.

Degree-granting vs. nondegree-granting sector coverage. The accelerating entry of educational entrepreneurs into the area of degree-granting higher education is correlated with considerable growth in the state oversight of private degree-granting institutions; the situation is rapidly becoming less like that in the public sector (little state-level oversight) and more like that in the nondegree-granting, occupational school sector (much state-level oversight). The recent addition of detailed licensing standards by numerous states, in the form of new degree-granting laws or regulations, is adequate testimony to the perceived needs for more attention in the degree-granting sector.

Nevertheless, there are subtle but important differences between the nature of state oversight of degree-granting and nondegree-granting institutions. These differences might be summarized by pointing out that degree-granting oversight by state agencies is far less likely to concentrate on strictly consumer protection issues, concentrating instead on quality control issues. While consumer protection and quality control are certainly not unrelated, the data reported in the previous section make it clear that although almost as many states do provide for some oversight of degree-granting institutions as for nondegree-granting schools, far fewer have detailed provisions for controlling consumer protection topics such as solicitation, advertising, disclosure, financial stability, job placement and follow-up of graduates.

State licensing officials in the degree-granting area perceive their major problems to be presented by the many new degree-granting institutions operating across state obundaries, offering "non-traditional" programs that offer academic credits for "life experience," individualized and non-structured courses, use of community educational resources, etc. Representing related complications are problems of: (1) regional accreditation of interstate degree-granting institutions (as opposed to the more common national accreditation applying to private organizations that operate occupational schools across state boundaries) creating conflicting jurisdictions among accreditation agencies; (2) attempting to avoid duplication of courses also offered by public higher education institutions within the state, raising issues of unconstitutional state restraint of interstate commerce; (3) institutions that operate only on military bases within a state, which might technically not be subject to state agency oversight; and (4) organizations that contract to market and offer external-degree programs under the auspices of more traditional institutions. These problems are peripheral to the consumer protection issues of primary interest during this study; however, data we obtained during telephone interviews and site visits indicate that most states are still seeking to find satisfactory solutions to these problems.

Some states have attempted to improve consumer protection in the degree-granting sector by applying the ECS Model Legislation (Texas and North Carolina have done this through new regulations, and Nevada, Kentucky, and Tennessee have done it by extension of their nondegree laws to degree-granting institutions) and removing state-stipulated exemptions for accredited institutions (see later subsection on exemptions). In general, however, changes of this type are rare.

The ramainder of this subsection will concentrate on coverage issues that cut across the nondegree- and degree-granting sectors.

Exemptions in institutional coverage. Most states exempt certain types of institutions from the provisions of their licensing laws and regulations. Some of these exemptions are relatively straightforward, for example, allowing degree-granting institutions to be exempted from laws intended to license nondegree schools. Others are relatively innocuous, allowing small (and politically powerful) bible colleges, religious schools, etc., to operate free of licensing restrictions. The most important forms of blanket exemption permit schools to operate without state oversight that: (1) are accredited; (2) existed prior to a certain date; (3) are regulated indirectly by a professional board (such as a state board of barber or cosmetology examiners); or (4) are incorporated as a charitable or non-profit institution (although these schools may be required to file reports, affadavits, etc.). In the nondegree sector, for example, the laws/regulations of 24 states allow accredited schools to be exempted from all or part of the basic licensing requirements; 18 states' laws/regulations allow similar exemptions for degree-granting institutions. The rationales usually advanced for such exemptions are that these schools are either subjected to sufficient review already, by the accreditation agencies or the professional boards, or have operated so long and are of such good repute that no further review is necessary. A more sanguine explanation also arose repeatedly in our discussions with state officials: these schools (and their accreditation agencies and professional boards) are usually very powerful politically and have successfully lobbied with the legislature to be exempted. The issue of lobbying will be discussed later in this section. Of concern here is the effect of such exemptions on state licensing. At least 45 of the 198 critical incidents we obtained involved accredited schools; state agency officials were almost unanimous in either regreting their state laws that require exemptions for accredited schools or expressing satisfaction that their laws did not permit such exemptions. All groups of state officials interviewed recommended that such exemptions should be avoided, if possible. The Orlans study (Orlans, Levin, Bauer, & Arnstein, 1974) is widely recognized as having documented accreditation's inherent difficulties in dealing with consumer protection issues. Based on an intensive two-year study, the authors of this report have written elsewhere (Jung, 1977b) that accreditation agencies should only be expected to play a secondary consumer protection role to state regulatory agencies (which have the primary responsibility for guarding against potential abuses), largely through helping accredited institutions improve the quality of their educational offerings. The President of the Council on Postsecondary Accreditation has expressed a similar position (Young, 1976b):

> To the extent that states make use of nongovernmental accreditation, it should be as an outside resource. States should not delegate [their] legal authority or responsibility to non-state bodies. When appropriately used, accrediting bodies can provide the state with useful information based on expert judgments concerning educational quality, provided to the state at no cost. (p. 2)

Moreover, because the potential for student abuse does exist in such institutions, there is no inherent reason for the exemption from state oversight for consumer protection purposes of institutions that are: (1) older; (2) subject to indirect control by professional licensing boards[1]; or (3) incorporated as non-profit.

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[1] i.e., boards that control curriculum standards through licensing requirements imposed on school graduates but do not exercise institutional authorizing and oversight responsibility as we have defined it.

Other coverage gaps. From the coverage analyses, the survey of enforcement practices and resources, and the site interviews it is apparent that one possible way to improve the effectiveness of licensing as a consumer protection function of state government is to eliminate the coverage "gaps," identified, for example, as blanks, zeroes, and minuses in Tables 10 and 11, especially in the degree-granting sector and in areas such as minimum student recordkeeping (43 blanks, "0's," "-'s" in NDG, 46 in DG; minimum requirements for disclosure of information to potential students (19 blanks, "0's," "-'s" in NDG, 41 in DG); etc. It is important to remember, however, that these are areas of state sovereignty, over which state governments, quite correctly, retain the right to determine whether or not their coverage is "adequate" for their needs. We have purposely avoided any ratings of "adequacy" for this reason.

At the same time, as multi-state educational operations proliferate, it is becoming more and more important for state officials to recognize that minimum authorizing and oversight criteria and standards are essential for every state. Depending on the ultimate resolution of the issue of state authority over out-of-state programs, it is possible that in certain cases state licensing agencies may be no stronger than the weakest state in preventing abuse of student consumers. Moreover, since state authorization plays such an important role as a major prerequisite for eligibility for federal student assistance programs, the federal government has a major incentive to assist state governments with the removal of weak "links."

Application of State Consumer Protection Statutes[1]

Every state except Alabama has enacted laws to prevent unfair or deceptive acts or practices in trade and commerce. Unlike state laws designed to prevent common law fraud (which require consumers to bring suit to prove that they were intentionally misled, to their detriment, and then demonstrate the amount of the damages), these so-called UDAP statutes allow state agencies to police deceptive practices (which are more loosely defined than fraud, requiring proof of a capacity to mislead but not of intent, actual deception, or damages). State UDAP statutes are based on the Federal Trade Commission Act, and in fact may be called "Little FTC Laws;" most provide that acts are "deceptive" under the following conditions:

(1) if they have the "capacity" or "tendency" to deceive, even if actual deception is not found;

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[1] Much of this discussion, dealing with non-educational laws that were not covered during our survey, is taken from Sheldon and Zweibel, (1977).

(2) if "the ignorant, the unthinking, and the credulous" and the "least sophisticated" would be deceived (while it is not enough if only an "insignificant and unrepresentative" segment of the public is misled, a practice can be deceptive if as few as 15% of the public are fooled; consequently, literally true statements can be deceptive);

(3) if a consideration of the entire representation, and not just the specific claim, finds the practice deceptive;

(4) if a word or term is ambiguous and one meaning is false;

(5) if necessary qualifications to overly broad representations are not made, if material facts are not disclosed, or if these disclosures or qualifications are too inconspicuous;

(6) even if competitors engage in the same practice;

(7) even if the deception is subsequently clarified;

(8) even if the immediate customer is not deceived, e.g., where a manufacturer's label is not deceptive to a retailer, but is to the ultimate consumer; and

(9) unless the claim is merely "puffing," that is, a permissible exaggeration, or the claim is purely fanciful or a spoof, calculated to amuse and with no capacity to deceive.

Twenty-five states follow the FTC law completely and include prohibitions against "unfair" acts, which add tests to determine whether a practice is "offensive, immoral, unethical, oppressive, unscrupulous, or injurious" to consumers. Most state UDAP laws include by reference the FTC's case law and 1972 guidelines, which include definitions of numerous "unfair and deceptive practices" used by the proprietary vocational and home study school industry.

In addition to these statutes, most states also have uniform commercial codes (or UCC's) which limit the enforcement of "unconscionable" contracts involving the sale of goods; eleven states include the following tests of unconscionability in their basic UDAP statutes:

(1) whether unfair advantage is taken of consumers' lack of knowledge, ability, experience, or capacity, particularly physical or mental infirmities or illiteracy;

(2) whether merchants knew of consumers' inability to receive anticipated benefits or make payment in full;

(3) whether goods or services are grossly overpriced or agreements substantially one-sided;

(4) whether consumers are required to waive legal rights or unreasonably jeopardize additional money or property;

(5) whether consumers would reasonably misunderstand the transaction's true nature; and

(6) whether agreements contain terms prohibited by other state laws.

These laws, not part of the state educational laws and regulations we studied, would seem to give state law enforcement agencies strong tools to deal with institutional abuses of student consumers. Almost without exception, however, state licensing agency heads reported that the UDAP statutes had rarely been applied to educational institutions. Our site interviews with state attorneys' general staff members convinced us that a major problem was their perception that they lacked professional expertise in determining whether educational transactions were, in fact, deceptive, unfair, or unconscionable. The few exceptions that were reported (i.e., cases actually prosecuted against schools under UDAP statutes) tended to bear out this conviction, because they usually involved cases that represented little more than blatant confidence schemes.

It seems apparent that state licensing, conducted by state agencies that are perceived as having educational expertise, acts as the major state-level barrier against all but the most serious forms of institutional abuse. It is also apparent, however, that there is a vast unused potential in the UDAP statutes, which also contain a wide range of civil and criminal penalties, for more frequent use as a tool against abusive institutional policies, practices, and conditions in both the nondegree-granting and degree-granting sectors. We will return to this topic later, in the final section.

Relationships to Other State Functions/Agencies

Administrative location of licensing agencies. There have been published statements (e.g., California Postsecondary Education Commission, 1976; Clark, 1977) that private postsecondary institutional licensing is not well served by making it an administrative function of state departments of education, which tend to have elementary and secondary education as their primary responsibilities. These assertions usually also contain claims that the licensing function is better served if it is placed within a department of postsecondary education or an independent commission or board. It was impossible for us to correlate degree of licensing "effectiveness" with location of licensing function; moreover, it is clear that the problem is so complex that such an analysis would be a gross oversimplification. Functions have been assigned to state agencies based on historical and political factors that went well beyond the scope of our study.

Some of the critical incidents in the Technical Addendum make it abundantly clear that administrative problems can adversely affect the licensing function, regardless of where this function is located. For example, in one state where licensing falls under an elected Superintendent of Public Instruction, political pressure was brought to bear on the state agency head to issue a license to a school that did not meet state standards. But problems of political pressure were documented in agencies not headed by elected officials. In another example, state department of higher education administrative hearing procedures allowed an apparently sub-standard institution to continue in operation for over a year, enrolling students and collecting tuition using patently misleading promises and advertising, before any legal action could be taken to curtail these practices. Administrative problems of this nature haunt not only state education agencies; independent licensing commissions and boards are also affected. Licensing is a function that must afford procedural due process[1] wherever it is housed, and it would seem that this requirement is a larger factor in the "fast, efficient" handling of abuses than location alone.

In this connection, inadequate access by state licensing agency staff to knowledgeable legal counsel, especially in investigating and helping to deal with cases of potential abuse, is a major problem. Again, however, access to legal staff does not seem to be directly related to administrative location. Heads of agencies located in huge state departments of education with large legal staffs reported about as much trouble in obtaining legal advice as the heads of small, independent licensing boards.

Relationships with state law enforcement agencies. The quality and quantity of relationships state agency officials maintain with the law enforcement agencies in their state are apparently very important for the adequate protection afforded to educational consumers. Indicators of good relationships include: (1) formal assignment of attorney general's office staff to the licensing agency; (2) formal designation of staff in the attorney general's office for handling education-related problems; (3) existence of formal and informal communication channels between the licensing agency and the attorney general's office; (4) frequent formal and informal communications; and (5) collaboration in the prosecution of violations and the passage of new laws and regulations. If the state has a centralized consumer protection agency, apart from the Attorney General's office, close contacts with that agency are also a likely indicator of better protection afforded to students in the state.

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[1] Procedural due process generally requires: (1) a written allegation in cases of adverse action; (2) an opportunity for an impartial hearing for the institution that is adversely affected; (3) the opportunity to examine evidence and present opposing evidence; and (4) the right of appeal.

Relationships with agencies that conduct course approval for the Veterans Administration. Title 38 of the U.S. Code permits the Veterans Administration to enter into contractual relationships with state agencies for the evaluation of educational courses; courses that are approved by these "state approving agencies" may then be taken by veterans, to receive educational benefits under the GI bill. The governors of all 50 states have designated state approving agencies, and, as we have pointed out earlier, 18 nondegree-granting and 9 degree-granting licensing agencies have received this designation. In the remainder of the states, these agencies perform an "oversight" function that was *not* included within the purview of our study. They *are* of interest, however, because their oversight can theoretically protect at least veterans from abuses by institutions with approved courses. According to section 1776 of Title 38, state approving agencies may apply the following criteria in approving courses in nonaccredited institutions.

> (1) The courses, curriculum, and instruction are consistent in quality, content, and length with similar courses in public schools, and other private schools in the State, with recognized accepted standards.
>
> (2) There is in the institution adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.
>
> (3) Educational and experience qualifications of directors, administrators, and instructors are adequate.
>
> (4) The institution maintains a written record of the previous education and training of the eligible person and clearly indicates that appropriate credit has been given by the institution for previous education and training.
>
> (5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absence, grading policy, and rules of operation and conduct will be furnished the eligible person upon enrollment.
>
> (6) Upon completion of training, the eligible person is given a certificate by the institution indicating the approved course and indicating that training was satisfactorily completed.
>
> (7) Adequate records as prescribed by the State approving agency are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.
>
> (8) The institution complies with all local, city, county, municipal, State, and Federal regulations, such as fire codes, building and sanitation codes.

(9) The institution is financially sound and capable of fulfilling its commitments for training.

(10) The institution does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation.

(11) The institution does not exceed its enrollment limitations as established by the State approving agency.

(12) The institution's administrators, directors, owners, and instructors are of good reputation and character.

(13) The institution has and maintains a policy for the refund of the unused portion of tuition, fees, and other charges in the event the eligible person fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion and such policy must provide [for a pro rata refund].

(14) Such additional criteria as may be deemed necessary by the State approving agency.

(15) In addition, the institution must submit a current catalog or bulletin, certified as "true and correct," that includes:

(a) identifying data, such as volume number and date of publication;

(b) names of the institution and its governing body, officials and faculty;

(c) a calendar of the institution showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;

(d) institution policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

(e) institution policy and regulations relative to leave, absences, class cuts, makeup work, tardiness and interruptions for unsatisfactory attendance;

(f) institution policy and regulations relative to standards of progress required of the student by the institution;

(g) institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;

(h) detailed schedules of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

(i) policy and regulations of the institution relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;

(j) a description of the available space, facilities, and equipment;

(k) a course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

(l) policy and regulations of the institution relative to granting credit for previous educational training.

Finally, an additional requirement added recently by Public Law 93-508 requires that for all vocationally oriented courses, it must be demonstrated that at least one-half of all persons (not just veterans) who completed the course over the preceding two-year period are actually employed in a training-related job.

It was beyond the scope of our study to investigate the extent to which these extensive and seemingly consumer protection-related standards and criteria are actually applied by state approving agencies. Some of the obtained critical incidents do suggest that cooperation between state licensing and approving agencies needs to be improved, but when effective, it can significantly enhance the overall success of state oversight.

Relationship to agencies outside the state. The importance and utility of maintaining close relationships with licensing agencies in other states is becoming apparent. Slightly over half of state officials in the nondegree-granting sector reported contacts with their counterparts, and several critical incidents documented the effectiveness of interstate cooperation in forcing questionable educational operations out of business and otherwise correcting abusive practices. The emergence of organizations such as NASASPS has no doubt facilitated improved communication among state licensing agencies in the NDG sector; a similar organization has been under consideration for the degree-granting sector (e.g., Postsecondary Education Convening Authority, 1975), where interstate communications are reported less frequently.

Reported communications between state agency staff and USOE staff are relatively infrequent, especially in view of the importance state authorization plays in the "tripartite" federal eligibility system (see pages 3-4). This is not surprising, however, because no agency in USOE has been set up to deal specifically with communications from and to state agencies. We will return to this important topic in the next section.

The Importance of Public Pressure and Positive Public Relations

One of our most consistent observations across all states is that more public pressure for improved oversight results in the passage of stronger laws and regulations and the appropriation of more resources for their enforcement by licensing agencies. For example, in state after state, officials reported that the major motivations for recent changes had been investigative articles in large urban newspapers. The articles, uncovering serious abuses by schools, created public outcries that were immediately heard in the state legislature.

No doubt related is the finding that agencies whose officials maintain a concerted public relations effort are more likely to have (1) laws/regulations with extensive coverage and (2) sufficient resources to enforce those provisions. As just one example of the nature of public relations problems, one state agency head complained that it was very difficult to get the legislative committee responsible for state oversight interested in making improvements in the law or increasing appropriations for the licensing function. A meeting with the head of that committee provided us with a different perspective. The legislator reported that the head of the oversight agency had experienced real difficulty in making a persuasive case for stronger oversight; he had come forward without convincing documentation on the nature and extent of potential abuses in the state, the actions the agency had taken in the past, and a rationale for the changes being proposed.

In some states, lobbyists for private school interests were often successful in portraying state agency efforts to gain meaningful oversight as costly and ill-motivated attempts by career bureaucrats to build an empire at the expense of the innocent and hard working citizens who were just trying to go about the business of providing an education without excessive red tape. Another successful ploy for lobbyists of accredited schools or schools under the indirect control of other state boards was to point out how many bureaucratic layers already covered the schools; it was not uncommon for these individuals to misrepresent the federal eligibility system by implying that the federal government was also exercising oversight over the schools (which it does not and cannot do). It is apparent that only a well planned and continously executed public relations program can counter such arguments, and we will return to this topic, too, in the next section.

FOLLOW-UP IMPLICATIONS

Normally a research study such as this would conclude with a set of recommendations for further research; and there is no doubt that even the mountain of data we have collected and reported is insufficient or inadequate for certain purposes. However, in our judgment the main need now is not for more data but for more action, based in part on our analyses of these data (or additional analyses performed by others) and in part on the Zeitgeist, which literally begs the states to assume a more significant role in student consumer protection and the tripartite system of institutional eligibility.

Since this study was based on USOE's needs for more information about state oversight, we will discuss follow-up implications for USOE at length. However, the study has major implications for the states as well, and these implications will be discussed first.

Implications for the States

We have concluded previously that state licensing laws and regulations, augmented by state UDAP[1] statutes, represent an effective tool for preventing potentially abusive policies, practices, and conditions in institutions that are authorized and overseen. Gaps in coverage exist in most states; significant gaps exist in a number of states; a few states have no coverage at all. There does seem to be accelerating motivation and activity among the states to improve the institutional licensing function, regardless of any relationships it may have to the federal eligibility system or the situation in other states. There is much room for improvement, however. Especially noted as needed improvements are:

(1) the elimination of non-trivial exemptions from state licensing requirements for (a) accredited institutions; (b) institutions that are only indirectly overseen by state professional licensing boards (e.g., barbering schools, cosmetology schools, nursing schools, driver training schools); (c) older and well-established institutions; and (d) institutions that are organized as non-profit;

(2) the addition of consumer protection provisions to state laws for authorizing and oversight of degree-granting institutions, resulting in greater standardization of licensing requirements across the nondegree and degree-granting sectors;

(3) the development of procedures that require schools domiciled out-of-state to meet the same licensing requirements as those domiciled in-state, especially in the degree-granting sector; and

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[1] Unfair or deceptive acts or practices.

(4) the elimination of other major coverage gaps, as identified in relation to the coverage of the ECS Model Legislation (Tables 10 and 11).

In discussing ways to encourage improvements, it is appropriate to quote Dick Millard, Director of the Postsecondary Education Department for ECS:

> The first thing that must be remembered is that decisions in relation to [state] legislation or support of [school licensing] operations are political decisions. (1977, p. 3)

In his paper, Millard lists six steps that might be taken to encourage this political process:

(1) raise the consciousness of governors and legislators regarding the need;

(2) develop a constituency that will keep the need alive and visible;

(3) assist one knowledgeable legislator in sponsoring legislation to meet the need;

(4) work with the state agency that would administer the new law, to make sure that the agency staff understands and supports the law;

(5) make sure the legislation is accurately and adequately drafted; and

(6) push the legislation via the constituency. (pp. 3-4)

The art of political compromise is not one that is easily taught. In this context, however, we offer some very specific strategies that have been tried and found effective.

Several states have initiated detailed studies of the licensing requirements of other states, in order to place their own licensing activities into a relative perspective and even to borrow specific provisions or language. Especially noteworthy is the study done by the staff of the California Postsecondary Education Commission (CPEC, 1976), but we also noted studies done in Illinois, Virginia, and North Carolina. Such studies are likely to be particularly influential in the subsequent actions of legislatures, perhaps under the areas Millard labeled as "consciousness raising" and "adequate drafting." It is hoped that our report and the data gathered during its writing will also prove useful in this regard.

Another widely used technique has been to involve private school owners associations, associations of private institutions, and other organizations representative of the affected schools, in drafting new legislation or regulations. It is clear that many of these associations: (1) regard strong, non-arbitrary state licensing as an aid in avoiding unscrupulous competition; (2) are knowledgeable about the exact nature of extant abuses; and (3) can be strong political allies in the legislature. At a minimum, these associations should be encouraged to review and comment on new initiatives before they are unveiled.

At this stage, the importance of good public relations cannot be underestimated. It is clear that effective oversight of schools will never make headline news; paradoxically, it seems that only abuses make news. However, incidents that have occurred elsewhere (i.e., in other states) have been used effectively in some states to show "what could happen here." The following represent some other specific suggestions for licensing agencies:

(1) Prepare routine annual reports to the legislature and to the general public, detailing the number and topics of student complaints received, the nature of abuses discovered by routine authorization oversight visits, the consequent agency actions, and the outcomes, especially in terms of potential abuses prevented. In this connection, the development of a standard complaint handling mechanism, to record, categorize, and follow-up on student complaints, is essential.

(2) Issue special reports and press releases, detailing especially noteworthy abuses or actions taken against institutions, including detailed explanations of the practices or conditions that were uncovered and the corrective steps that were taken.

(3) Arrange publication and wide distribution within the state of pamphlets and/or handbooks that tell students and parents about how to shop for an education, be more effective consumers, and complain effectively if they encounter abuses. Publish a standard student complaint form, with instructions on where to send it.

(4) Participate, with state vocational guidance organizations and other state education organizations, in comprehensive programs to make potential students in the state more aware of available options and their rights and responsibilities in choosing an education; one example is providing a state-wide hotline number or a computerized information sharing and retrieval system with connections to all high schools in the state.

Unity among the state education agency hierarchy is also essential. Differences of opinion as to which agency should perform which administrative function should be resolved before a proposition goes to the legislature. If motivation for changes comes from outside the state education agency, the agency staff may find its lack of internal agreement results in the imposition of unsatisfactory requirements. Included in the topic of unity should be the previously mentioned desirability of forming close and cooperative relationships with law enforcement agencies in the state.

State officials interested in promoting improved oversight should become aware of existing resources from outside the state that might be useful. In addition to detailed information about the status of other states, the ECS Model State Legislation should be kept in mind (although, as will be indicated later, it is now dated and in need of more specificity).

Visits by knowledgeable consultants, especially legal authorities and experienced agency officials from states with strong laws, can be useful. In the past, such visits have been arranged through ECS as an aid to implementing the Model Legislation. In this context, staff development workshops, such as the 1976 Keystone meeting, can also be extremely useful and should be attended.

In AIR's previous study of strategies for improving the consumer protection function (Jung, et al, 1977), we developed two potentially helpful resources for state licensing agencies. The first was an information collection, analysis, and sharing system for regulatory agencies, based on an Institutional Report Form (IRF). This system is described in Jung, Gross, and Bloom (1976).[1] Its chief contribution can be to improve the objectivity of state agency evaluations of institutional consumer protection policies, practices, and conditions. The second was a student consumers guide (Hamilton, Wolff, Jung & Dayton, 1977); this commercially distributed guide is designed to assist students to become more effective consumers of education by identifying potentially abusive institutional practices before enrollment or by complaining effectively about such practices if encountered after enrollment. Such aids, if distributed routinely by state licensing agencies, should go a long way toward *preventing* abuses without requiring greater agency involvement.

Finally, it is in the best interests of all state oversight agency officials to acknowledge their growing need to communicate with officials in the other states on topics of mutual interest, especially interstate school operations. State agency staff rarely reported sufficient resources for traveling or even telephoning out of state, however, and obtaining more resources should become a top priority item. This topic will be raised again as one suited to federal assistance.

Implications for the U.S. Office of Education

It is clearly in USOE's interest to assist states in making improvements, such as those just described, in their authorizing and oversight. This could be done in many ways. Included below are a limited number of suggestions that (1) appear to be of highest priority, based on the obtained responses from state agency staff interviews, and (2) can be implemented in the near future.

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[1] USOE sent a copy of this document to all state licensing agencies in mid-1977.

(1) USOE should disseminate copies of this report, including its Technical Addendum, to all state agencies that express a desire to strengthen their laws and regulations. Further, if updated information becomes available through DEAE's periodic replications of the state agency survey, this information too should be disseminated.

(2) DEAE should convene a workshop for staff of all state authorizing and oversight agencies, including those in the nondegree and degree-granting sectors, to go over the findings of this study and its implications for state agencies. If possible, this workshop should be co-sponsored by ECS and should include the participation of representatives of other national organizations concerned with improving the state licensing function, including: the USOE Bureau of Student Financial Assistance, the Federal Trade Commission, NASASPS, the National Association of State Approving Agencies, the State Higher Education Executive Officers, the American Council on Education, the Council on Postsecondary Accreditation, the National Association of Attorneys General, the National Governors Conference, the National Conference of State Legislatures, and the National Student Association. Travel expenses should be provided for state agency staff who are unable to come on their own resources. Topics to be discussed are suggested below, under staff development in point (6). Serious consideration should be given to making this workshop an annual event.

(3) USOE should begin to formulate an official policy statement encouraging all states to enact and enforce state authorizing and oversight standards that meet or exceed minimum consumer protection standards. The minimum standards should be based on the ECS Model State Legislation, with provisions added in areas where the model legislation has no coverage. The existence of such a statement, outlining the national interest in effective state oversight, would be of considerable value to state officials, especially if it were issued by the Commissioner of Education or the Assistant HEW Secretary for Education. Requests to a governor or legislative committee for stronger school licensing laws or additional enforcement resources could then be made with reference to the national interests being served. In drafting the statement, it would be desirable to involve representatives of state licensing agencies.

(4) USOE should strongly consider drafting and asking Congress to enact an amendment to the General Provisions section of Title IV of the Higher

Education Act of 1965 providing federal funds for states that enacted standards more extensive than the ECS Model Legislation. The amendment, which would be similar to Title X[1] of the now-expired National Defense Education Act of 1958, would provide state agencies with matching funds to be used in gathering objective, on-site data on the consumer protection policies, practices, and conditions of institutions that applied for eligibility for federal assistance programs. These data could be supplied to the eligibility clearinghouse suggested in point (5) below, using an instrument similar to the Institutional Report Form (IRF) developed by AIR for USOE under a previous contract (see Jung, et al, 1977). The actual content of this instrument could be discussed at the annual state agency workshop suggested in point (2) above. Determination of which states met or exceeded the minimum standards could be done annually by the Commissioner via a small ad hoc advisory panel, as was done successfully for the National Vocational Student Loan Insurance Act, which amended section 435(c)(C) of the Higher Education Act of 1965, prior to the establishment of the national accreditation associations for proprietary schools (i.e., NATTS, AICS, etc.).

(5) USOE should establish and maintain a "state licensing agency liaison center and clearinghouse." A major function of this center would be to collect the standardized data produced by state agencies pursuant to point (4) above. Assuming that point (4) could not be implemented immediately, due to the lag time inherent between legislative proposals and their enactment, several additional functions should begin immediately.

Most important is (1) the frequent collection of publicly-available information about state licensing agency actions, especially adverse actions with regard to schools, programs, school operators, and agents, and (2) the dissemination of this information to state licensing agencies in all other states. Information that is not available to the public, such as on-going investigations, informal actions and temporary restrictions, or "hunches," would not be collected or disseminated. Various dissemination mechanisms should be considered including a newsletter, a WATS line, mailgrams, etc. These could also be a topic for the point (2) workshop.

Because the center would also provide liaison with state agencies regarding the federal eligibility system, it could disseminate important new information on topics of interest to the states. It could also serve as the locus in USOE for planning and carrying out the staff development activities to be discussed in the next point.

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[1] This statute provided 50% matching funds to state education agencies for developing and improving state educational data collection procedures and statistical services.

(6) USOE should contract for the services of an organization of national reputation to plan and carry out a continuing program of staff development activities for state licensing agency personnel. These activities might overlap with training activities carried out during the annual workshop mentioned in point (2), but they would be more extensive, based on detailed "needs assessments" and providing for special tailored regional or even statewide workshops. Major topics would be likely to include: (1) better procedures for licensing schools/programs/agents; (2) strategies for passing stronger laws and regulations; (3) strategies for obtaining increased enforcement resources; and (4) more effective oversight of interstate educational operations.

(7) USOE should consider making more extensive use of the data collected during this study. Even though we performed numerous analyses, we only scratched the surface of the analyses that might be performed. For example, it would be instructive to use our state survey data to create "indicators" of oversight practices that could be correlated with possible "effectiveness" criteria, such as the number of agency actions taken. Promising indicators could then be used by state agencies to internally gauge their own effectiveness against these criteria and take steps to improve their practices. The survey data now exist on computer tape, and they could be made available to other researchers at very low cost.

For another example, the state law/regulation coverage areas that received "++" ratings in comparison to the ECS Model Legislation could be perused and extracted to create a "Composite State Regulation," based on the Model Legislation but containing much more depth. This composite regulation, being based on recent sources, would also be more up-to-date than the 1973 Model Legislation, which is obsolete in a few of its provisions.

For a final example, it would be instructive to correlate data on coverage of state laws/regulations with data from federal sources (e.g., DEAE, the Bureau of Student Financial Assistance) regarding the existence of potential institutional abuses in the federal student assistance programs (e.g., loan default rates, student complaints, fraud cases, etc.). The demonstration of a relationship would strengthen the rationale for further federal interest in state licensing.

Further examples of possible useful secondary data analyses could be contributed by state agency staff at the annual workshop discussed in point (2).

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APPENDIX A

PROJECT ADVISORY PANEL MEMBERS

State Agency Advisory Panel

Dr. Joseph A. Clark, Commissioner
Indiana Private School Accrediting Commission
Consolidated Building, Suite 1040
115 N. Pennsylvania St.
Indianapolis, Indiana 64204

Dr. Wayne Freeberg, Executive Director
Florida Board of Independent Colleges and Universities
c/o Department of Education
Tallahassee, Florida 32304

Mr. James R. Manning, President
National Association of State Administrators and
Supervisors of Private Schools
Proprietary School Service
State Department of Education
PO Box 6Q
Richmond, Virginia 23216

Dr. Thurston Manning, Director
Commission on Higher Education Institutions
North Central Association of Colleges and Universities
1221 University Avenue
PO Box 2276
Boulder, Colorado 80302

Dr. Richard M. Millard, Director
Higher Education Services
Education Commission of the States
300 Lincoln Tower
1860 Lincoln St.
Denver, Colorado 80203

Dr. Sterling R. Provost, Past President
National Association of State Approving Agencies
Coordinator, Veterans and Vocational-Technical Affairs
State System of Higher Education
Suite 1201, 136 East South Temple
Salt Lake City, Utah 84111

Legal Affairs Advisory Panel

Mr. Richard A. Fulton, Esq.
General Counsel
Association of Independent Colleges and Schools
1730 M Street, N.W.
Washington, DC 20036

Mr. Louis H. Heilbron, Esq.
Member of Board of Directors
Council on Postsecondary Accreditation
Heller, Ehrman, White, and McAuliffe
30th Floor
44 Montgomery Street
San Francisco, California 94104

Dean John F. X. Irving, Esq.
Dean, School of Law
Seton Hall University
1095 Raymond Blvd.
Newark, New Jersey 97102

Mr. Layton Olson, Esq.
Vice President, National Student Educational Fund
Project Director, Student Information Gap Project
2000 P Street, N.W., Suite 305
Washington, DC 20036

Research Advisory Group (did not convene)

Dr. Louis W. Bender
Professor of Higher Education
402 Education Building
Florida State University
Tallahassee, Florida 32306

Dr. Theodore Marchese
Director of Institutional Research
Barat College
Lake Forest, Illinois 60045

Dr. Joan S. Stark, Chairperson
Dept. of Higher/Postsecondary Education
School of Education
229 Huntington Hall
Syracuse University
150 Marshall Street
Syracuse, New York 13210

APPENDIX B
CONTACT LETTERS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

16 July 1976

Dear Colleagues:

Pressure for the development of mechanisms to better protect the consumers of postsecondary education has been increasing from all directions. Consumer protection has been at least a partial impetus behind such things as: several recent Congressional hearings and proposed legislation on protecting students from school abuses; the current Federal Trade Commission proposal to tighten regulation of proprietary (profit-seeking) occupational schools; stricter regulations on eligibility of schools for the Guaranteed Student Loan Program; the Veterans Administration's new requirement for disclosure of occupational course placement rates; and numerous state and federal conferences on the issues surrounding educational consumer protection in postsecondary education. While it is evident that federal government impact upon school practices has the potential for growing more and more direct, it is also evident that individual states have the strongest jurisdiction for regulating and controlling potentially abusive policies and practices of postsecondary institutions within their boundaries. However, there is currently a dearth of information about the effectiveness of state laws, regulations, and enforcement practices in the postsecondary consumer protection area.

On 30 June 1976, USOE awarded a contract to the American Insitutes for Research (AIR) of Palo Alto, California, to conduct a comprehensive, in-depth study of state authorizing and oversight mechanisms in postsecondary education. The major purpose of the study is to provide USOE with the required understanding of the nature and content of state licensing and monitoring laws and the status of state enforcement efforts, especially with respect to their effectiveness in protecting student consumer rights. The AIR project staff have proposed to pay special attention to collecting suggestions from state officials on how USOE might assist the states in carrying out this function.

I would like to request your cooperation in the conduct of this important study. Within two weeks, you will be contacted by an AIR staff member who will request copies of relevant state laws and regulations and the names, addresses, and telephone numbers of state officials who might be of assistance in providing information. These officials will then be contacted directly by AIR staff for other items of information specific to the needs of the study.

If you have any questions or concerns, please call me at (202) 245-7884, or the AIR Project Director, Dr. Steven Jung, at (415) 493-3550. Thank you very much for your help.

Sincerely yours,

William D. Green
Office of Planning, Budgeting, and Evaluation/PSID

AMERICAN INSTITUTES FOR RESEARCH
IN THE BEHAVIORAL SCIENCES
P.O. Box 1113, 1791 Arastradero Rd., Palo Alto, Ca. 94302 ● 415/493-3550

20 August 1976

Dear :

On July 16, 1976, a letter was sent to your office from Dr. William Green, Office of Planning, Budgeting, and Evaluation, U.S. Office of Education. His letter informed you about a comprehensive study now being conducted by the American Institutes for Research (AIR), Palo Alto, to survey postsecondary institutional authorizing and oversight laws and mechanisms in all fifty states. A copy of the Project Brief is enclosed to explain in further detail the purposes of the study.

We have attempted to tap secondary sources to locate a good deal of the information we need. In addition, you or someone in your state may have been contacted informally by an AIR staff member, requesting information on institutional approval/licensing mechanisms and copies of relevant state laws and regulations. We now need to go to more direct sources. Enclosed is a Comprehensive Information Form, showing the names, addresses, and telephone numbers of administrators for the state agencies we have tentatively identified as exercising responsibility over various types of postsecondary institutions. There may be inaccuracies in this information, and many gaps still remain, such as agencies with no designated contact persons.

We ask your cooperation in correcting and completing the information for your state. If there are any inaccuracies or gaps in the agencies, persons, or telephone numbers listed on the Comprehensive Information Form, I would like to ask someone on your staff to call Ms. Jeanette Wheeler, or me (if she is unavailable) at (415) 493-3550, collect. At that time we would like to obtain from you the correct names, addresses, and telephone numbers of administrative heads and, if possible, contact persons in the responsible agencies, so that we can call them directly to obtain specific information needed for the study.

Thank you very much for your help.

Sincerely,

Steven M. Jung, Ph.D.
Senior Research Scientist

Enclosure: Project Brief

AMERICAN INSTITUTES FOR RESEARCH
IN THE BEHAVIORAL SCIENCES
P.O. Box 1113, 1791 Arastradero Rd., Palo Alto, Ca. 94302 • 415/493-3550

1 July 1977

Dear :

The American Institutes for Research (AIR) is currently conducting a project for the U.S. Office of Education (USOE) which we feel is potentially of great value and significance to all state agencies which have regulatory authority over postsecondary institutions. We would like to request your assistance.

Pressure for the development of mechanisms to protect consumers of postsecondary education has been increasing from all directions, as you are no doubt aware. Consumer protection has been at least a partial impetus behind such things as: the recent Congressional hearings and proposed legislation on protecting students from school abuses; the current Federal Trade Commission proposal to tighten regulation of proprietary (profit-seeking) schools; stricter regulations for eligibility of institutions for Guaranteed Student Loan Program funds; the Veterans Administration's new requirement for disclosure of occupational course placement rates; numerous state and federal conferences on the issue of educational consumer protection in higher education; and further regulations regarding required institutional disclosure called for in the 1976 amendments to the Higher Education Act.

States have the major responsibility for regulating postsecondary education institutions operating within their borders; however, little is known about the current status of authorization and oversight of postsecondary education among the 50 states, especially as they function to provide institutions with eligibility to participate in USOE-administered assistance programs. A first step in determining whether states' licensing or approval and enforcement capabilities can lead to improved postsecondary consumer protection is a comprehensive understanding of the current status of and perceived needs for improving state laws, regulations, and enforcement mechanisms in the areas of institutional authorization and oversight.

We have already obtained and abstracted the laws and regulations of your state which govern authorization and oversight of postsecondary educational institutions. A copy of the abstracts is enclosed for your review and comments.

We have also developed a questionnaire, entitled Questionnaire for State Authorizing and/or Regulating Agencies, to gather data on the oversight and enforcement mechanisms which are actually practiced in your state. A copy of it is enclosed. We would like to ask your cooperation in setting up an appointment for a telephone interview, lasting at most two hours. During this interview we would like to ask you and/or other members of your staff to respond to the questionnaire items which are relevant.

Result summaries for all 50 states will be made available to you, and we hope that these might prove valuable. We are convinced they will prove valuable to USOE in its efforts to protect students and postsecondary institutions, as well as society, from the effects of practices which abuse the educational consumer.

This study is authorized by law under general responsibilities assigned to the Commissioner of Education in PL 93-380. Your participation is not mandatory, of course, but it is needed to make the results of this survey comprehensive, accurate, and timely.

Remember, you do not have to return the enclosed questionnaire! A member of my staff will be calling you, at a time indicated on the cover, to obtain your answers to the questions. You are asked merely to look over the questionnaire at this time to familiarize yourself with the topics. If the time indicated is inconvenient for you, or if you would like us to contact someone else to record your state's responses, please call me collect at (415) 493-3550.

Sincerely yours,

Steven M. Jung, Ph.D.
Project Director

Enclosures: Abstracts of Laws and Regulations
Questionnaire for State Authorizing and/or Regulating Agencies

AMERICAN
INSTITUTES
FOR RESEARCH

APPENDIX C

August 12, 1976

PROJECT BRIEF

A REVIEW OF STATE OVERSIGHT IN POSTSECONDARY EDUCATION

The Problem

During the past five years, postsecondary student assistance programs administered by the U.S. Office of Education (USOE) have enabled an estimated nine million students to receive a postsecondary education who might otherwise have been unable to do so. These programs include the Federally Insured Student Loan (FISL) program, the National Direct Student Loan (NDSL) program, the College Work Study (CWS) program, and the Basic and Supplemental Educational Opportunity Grant (BEOG, SEOG) programs, all established by Title IV of the Higher Education Act of 1965 as amended in 1972. During the same period, federal expenditures for these programs have exceeded eight billion dollars. As might be expected with any programs involving the distribution of such large amounts of money, problems have developed in the operational policies and practices of some postsecondary institutions which are eligible to participate in these programs. Occasional incidents of impropriety and educational malpractice have been publicly revealed in all three major categories of postsecondary institutions: proprietary (operated for profit), private non-profit and public schools. These incidents have involved cases of fraud, deception, and lack of minimally adequate disclosure of relevant facts.

By statute, two non-federal "gatekeepers" help determine eligibility to participate in the above assistance programs. State government agencies have the primary responsibility for authorizing and overseeing postsecondary institutions and programs operating within their boundaries. And over sixty independent school and program accrediting agencies conduct peer reviews to certify and improve educational quality; these agencies are evaluated and formally recognized for this purpose by the U.S. Commissioner of Education, through an Advisory Committee and the Division of Eligibility and Agency Evaluation (DEAE). DEAE also functions to coordinate the activities of the state agencies and regional and national accrediting agencies and to certify the eligibility of schools which have achieved state authorization and accreditation. However, the DEAE is hampered in this role by:

(1) insufficient information about the current status of state laws and regulations which determine how schools are authorized to operate and how they are controlled after initial authorization;

(2) scant data on the enforcement of these state laws and regulations, especially on their effectiveness as the primary prerequisite to institutional eligibility for the USOE-administered assistance programs; and

(3) lack of a system for updating the above information, through regular contacts with states, as their laws, regulations, and enforcement mechanisms are modified and improved.

The Current Study

On 30 June 1976, USOE's Office of Planning, Budgeting, and Evaluation awarded a twelve-month contract to the American Institutes for Research in the Behavioral Sciences (AIR) to conduct a comprehensive, in-depth study of state authorizing and oversight mechanisms in postsecondary education. The major purpose of the study is to provide an accurate appraisal of the current status of state authorization and oversight, especially as these function to provide eligibility to participate in federal assistance programs. The study will involve a comprehensive mail/telephone survey of all 50 states to gather documents (laws, regulations, policies) and other data on institutional monitoring and enforcement mechanisms. Later, personal visits will be made to selected state agencies to collect anecdotal data and critical incidents on authorizing/oversight elements which seem to be particularly effective or ineffective in preventing institutional abuses. The AIR staff will also pay special attention to seeking and collecting suggestions from state officials on how USOE might provide assistance to them in carrying out their authorizing/oversight responsibilities. Finally, AIR will develop procedures for allowing DEAE to maintain information on the current status of state laws, regulations, and enforcement mechanisms.

All plans for the study will be developed in cooperation with two nationally representative advisory groups, a Legal Affairs Advisory Panel and a State Agency Advisory Panel. These groups will also be involved in the interpretation of the study results. The final report is to be completed by the end of June 1977.

For More Information

For more information about the study, contact:

Mr. John R. Proffitt
Director, Division of Eligibility and Agency Evaluation
Bureau of Postsecondary Education
U.S. Office of Education
Washington, D.C. 20202

(202) 245-9873

or

Dr. William Green, Project Monitor
Office of Planning, Budgeting, and Evaluation
United States Office of Education
Washington, D.C. 20202

(202) 245-7884

or

Dr. Steven M. Jung, Project Director
American Institutes for Research
P.O. Box 1113
Palo Alto, California 94302

(415) 493-3550

OMB Clearance No. 51-S77-018
Expires 10/77

APPENDIX D

Survey of State Oversight in Postsecondary Education

Questionnaire for State Authorizing and/or Regulating Agency for Private Non-degree Institutions

The purpose of this survey is explained in the attached cover letter. Please read the letter before you examine this questionnaire, which is designed to gather a standardized set of data from agencies in all 50 states. Data are requested regarding your state's policies and practices for authorizing the operation of and/or overseeing *private postsecondary institutions which do not offer associate, bachelors or graduate degrees* (or *which are incorporated as profit-seeking*, as appropriate).

You are requested not to try to complete this questionnaire now; you will be telephoned by an AIR staff member at ______________ on __________________. At that time, the questions which follow will be asked and your responses and comments will be recorded. This questionnaire is only for your information and familiarization prior to the telephone call. If this time is inconvenient for you, or if you would like us to contact someone else to record the questionnaire responses, please call Dr. Steven Jung at AIR collect, at (415) 493-3550.

Thank you very much for your assistance.

Questionnaire for State Authorizing and/or Regulating Agency for Private Non-Degree Institutions

(or PROPRIETARY INSTITUTIONS, as appropriate)

A. Agency Functions

1. Does this agency perform or participate in any of the following functions? (Please check (✓) all that apply and read the definitions of these terms, which will be used throughout the remainder of this questionnaire.)

____ a. *chartering* (Awarding a permit or charter to operate; i.e., a business permit, business license, corporate charter, etc.)

____ b. *institutional authorizing* (Granting an institution initial permission to offer educational services within this state; may also be called initial licensing, initial registering, initial approving, initial accrediting, or requiring performance bonds, depending on the state. Does not include simple chartering.)

What is this function actually called in your state? ______________

____ c. *institutional regulating or overseeing* (Granting an educational institution continuing permission to offer educational services; includes overseeing (or monitoring) functions, and the authority to prescribe or proscribe the policies and practices of institutions already operating in this state. May also be called continuing approval, registration renewal, licensing renewal, accreditation renewal, depending on the state.)

What is this function actually called in your state? ______________

____ d. *course or program authorizing* (Granting an already authorized educational institution initial permission to offer a specific program or course of studies.)

What is this function actually called in your state? ______________

____ e. *course or program regulating* (Granting an already authorized educational institution continuing permission to offer a specific educational program or course of studies.)

What is this function actually called in your state? ______________

____ f. *certifying institutional eligibility* for participating in *state* scholarship, grant, loan, or other student assistance programs.

What is this function actually called in your state? ______________

NOTE: If you did not check any of the above functions, you may discontinue completion of this questionnaire. We are interested only in these functions. If you did check one or more functions, please continue.

2. What additional functions are performed by your agency? (Check all that apply.)

___ a. Veterans Administration course or program approval of eligibility for veteran's benefits

___ b. granting licenses or performance bonds for salespersons, agents, or other commerical representatives of institutions

(1) How is "salesperson" defined in your state?

___ c. approval of specialized vocational programs of study, such as practical nurse education, barber training, cosmetology training, etc.

___ d. other (please describe)

3. Approximately how many institutions are authorized, regulated, or otherwise overseen by this agency for each of these function?

	# of institutions
authorizing and/or regulating functions	
a. chartering (issuing business permits)	__________
b. institutional authorizing (initial operation)	__________
c. institutional regulating (continuing oversight)	__________
d. course authorizing in that institution	__________
e. course regulating in that institution	__________
f. certifying institutional eligibility	__________
additional functions	
a. VA course approval in that institution	__________
b. salesperson bonding in that institution	__________

(1) From how many salespersons or agents do you currently require licenses or bonds?

_______________ salespersons

c. specialized vocational program approval in that institution	__________
d. other (as described above)	__________

4. What were the sources of this agency's revenue in 1976?

	Approximate Revenues
a. State General Fund	$ ________
b. school authorizing or regulating fees	________
c. VA	________
d. other state resources (describe)	________
e. other sources (describe)	________
Total Approximate Revenues	$ ________

5. Does your agency receive services that are not counted among the above revenues? If yes, what are they? (e.g., clerical, legal, computer, office space, transportation pool, etc.)

6. How many persons (average FTE) were employed by this agency in 1976?

# of persons (average FTE) ____________

NOTE: For the remainder of this questionnaire, we are concerned only with that part of this agency's operations which concern the functions of chartering, institutional and course authorizing, and institutional and course regulation (item 3a). VA course approval and the other functions listed above (item 3b) are not of further interest, unless explicitly specified.

7. What percentage of the following resources of this agency was devoted to the chartering, authorizing, and/or regulating functions in 1976? Be sure not to include VA course approval or the other functions listed in item 3b.

	Approximate Percentage of Total Agency Resources
a. agency revenue in 1976	________ %
b. agency staff (average 1976 FTE)	________ %

8. If this agency performs the institutional regulating or overseeing function (see page 2 for the definition of this function), how frequently are authorized institutions required to seek formal renewal of their authorizations?

9. During the past five years, have any changes taken place in the institutional authorizing and/or oversight statutes or regulations under which your agency operates? If yes, please describe the changes, noting at least the following:

a. motivation for the change(s)?

b. initiated by whom?

c. perceived barriers to the change(s)?

d. Was the Education Commission of the States Model Legislation used in this process? Legislation from other states?

10. How does your agency proceed with revising or establishing new regulations or rules? Please describe the procedures noting at least the following:

a. Is legal counsel involved in writing regulations or rules for authorizing, regulating, revoking, etc.?

b. Are affected institutions allowed or encouraged to speak at hearings?

c. Can institutions provide input into developing criteria for authorizing and regulating?

d. Are educational advisory boards or groups utilized? Are school representatives included in these boards or groups?

e. How are the new regulations or rules implemented?

11. List the *forms* which new institutions or educational programs seeking authorization by your agency are required to complete.

Authorizing Forms (for new institutions or programs)

____

____

____

____

12. List the *forms* which existing institutions or educational programs already authorized by your agency are required to complete.

Oversight Forms (for existing institutions or programs)

____

____

____

____

13. For each of the forms you listed in Items 11 and 12, briefly describe how and how often the effected institution goes about: (a) requesting it, (b) completing it, and (c) submitting it; then briefly describe: (d) the review by your agency, and (e) possible decision alternatives by your agency depending on information received.

14. Are on-site school visitations or inspections made? If yes, please answer questions 15 and 16 if they apply. If no, please go on to Item 17.

15. Describe the purposes and frequency of initial authorizing site visits, including at least the following:

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?

c. What is the average duration of the site visits?

d. Do these site visits occur in conjunction with visits for other purposes?

(1) VA course approval site visits

(2) private accreditation agency site visits

(3) other (please describe)

e. Are there any fixed educational standards or criteria which the site visit team seeks to apply?

16. Describe the purposes and frequency of continuing oversight site visits, including at least the following:

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?

c. What is the average duration of the site visits?

d. How frequently are site visits made?

e. Do these site visits occur in conjunction with visits for other purposes?

(1) VA course approval site visits

(2) private accreditation agency site visits

(3) other (please describe)

f. Are there any fixed educational standards or criteria which the site visit team seeks to apply?

17. Is there any variation in your agency's authorizing and/or oversight procedures for:

a. accredited schools or programs, as opposed to schools or programs that have not been so accredited? If so, please describe. Is there any distinction between "recognized" accreditation agencies and those not so recognized? How is "recognized" defined?

b. schools or programs which offer a "nontraditional" educational program (e.g., individual learning programs, flexible instructional schedules, etc.)? If so, please describe.

c. private programs or institutions that are incorporated outside your state but operate in your state? If so, please describe. Are institutions or programs which are operating only on federal property (e.g., military bases) exempted?

d. private programs or institutions incorporated in your state that operate out-of-state? If so, please describe.

e. correspondence institutions? If so, please describe.

18. Does your agency have legal authority to seek injunctions or other legal remedies before a court of law in cases of alleged violations by institutions?

19. Does your state have an Administrative Procedures Act that determines procedures to be followed during formal investigations and/or hearings into alleged violations by institutions?

20. In investigations and court actions in cases of alleged violations by institutions, what are the roles of the following?

a. legal staff from your agency

b. legal staff from the State Attorney General's office

c. legal staff from other state or private sources, if any (please describe)

21. Is there a centralized system or procedure for handling written or verbal complaints from students (or parents, teachers, etc.) about schools or programs over which your agency exercises authority? If yes, does it include:

a. a requirement that the complaining party file a formal written notice of the complaint before it can be investigated?

b. a method for bringing class action suits by students?

c. authorization for students (or their legal representatives) to have access to your agency's records for bringing suits?

22. Is institutional information derived from investigations or student complaints sent by your agency to any of the following?

a. accreditation agencies

b. government agencies in other states which perform school authorizing/oversight

c. federal government agencies (USOE, VA)

If yes for any of these, with what frequency and in what form (written or oral)?

23. In the past year, has your agency received any student (or parent, teacher, etc.) complaints about institutions or programs over which it has authority? If yes, about how many were received directly and how many by referral from other sources? _____ directly _____ referral

a. Into which of the following categories do these complaints fit? (Estimate percentages if necessary; see p. 11 for definitions of categories.)

(1) refund practices _____%

(2) advertising practices _____%

(3) admission practices _____%

(4) disclosure in written documents _____%

(5) instructional staff stability _____%

(6) financial stability _____%

(7) instructional programs and facilities _____%

(8) recordkeeping practices _____%

(9) other (please describe) ________________________________%

Percentages should total 100%.

b. Of the complaints received by, or referred to, your agency in the past year, how many: (estimate percentages if necessary)

(1) were not followed up? _____%

(2) were followed up and resolved informally? _____%

(3) were used as a basis for formal investigation and resolution through hearings and/or court actions? _____%

Percentages should total 100%.

24. Please briefly describe the formal and/or informal relationships, if any, between your agency and the following state government agencies or bodies, (if the agency exists in your state).

a. Office of the Governor
b. Legislative Body
c. Attorney General's Office
d. Office of the Secretary of State
e. Office of Consumer Affairs
f. Veterans Administration state approving agency (or agencies)
g. State Board of Vocational Education
h. State Department of Education (or Higher Education)
i. state postsecondary education coordinating (1202) commission (if any)
j. state governing board for postsecondary or higher education (if different from i)
k. state planning board for postsecondary or higher education (if different from i or j)

25. Please describe the formal and/or informal relationships, if any, between your agency and the following non-governmental agencies or bodies.

a. institutional accrediting bodies
b. specialized school or program accrediting bodies
c. Better Business Bureaus
d. state associations of school administrators, operators, owners, etc.
e. consumer interest groups

26. Does your agency have any specific written procedures for requesting advice or assistance from the following? If so, please describe.

a. members of the general public
b. citizen advisory boards or groups
c. students or student associations
d. legal associations (e.g., bar associations)

27. Does your agency regularly supply any of the following to the general public about the schools over which it exercises authority?

a. lists of approved schools
b. lists of schools whose authorizations to operate were revoked or limited
c. other information about school policies or authorization status
d. information about student consumer rights

28. Has your agency ever disseminated information about denial, suspension, or revocation of an institution's authorization to any of the following?

a. the public media

b. law enforcement agencies in your state

c. government agencies in other states responsible for authorizing and/or overseeing schools which might be operating in those states

d. the federal government (USOE, VA)

If yes for any of these, as a matter of policy (required) or as a matter of discretion (permitted)? Is the information written (formal) or oral (informal)?

29. Does your state have a public meeting/open records act or similar "sunshine" law? If so, to what extent have the laws been interpreted to apply to state authorizing and oversight functions (e.g., is a site visit report a public document?)?

30. Are institutions required to notify your agency if there is a change in institutional ownership? If yes,

a. how is "ownership change" defined?

b. does an ownership change affect an institution's status with regard to authorization to operate?

B. Institutional Policies and Practices Which Have Potential for Educational Consumer Abuse

1. Please check (✓) if your agency can (has authority to) prohibit each of the following categories of institutional practices which have been identified as abusive to students. Also check which are (actually have been) prohibited or regulated.

Has Authority	Actually Prohibits	
____	____	a. Inadequate institutional refund policies and practices (e.g., a school requires prospective students to pay tuition, room and board charges, or application fees before starting classes, and has either an unfair or nonexistent policy for refunding these charges.)
____	____	b. Misleading advertising practices (e.g., an institution uses fraudulent or misleading advertising about its courses or programs to attract students.)
____	____	c. Deceptive admission practices (e.g., an institution "pressures" prospective students into enrolling through unscrupulous recruiting practices.)
____	____	d. Inadequate disclosure in documents (e.g., an institution fails to furnish students and prospective students with a catalog, or other booklet that serves as a catalog, providing essential information on the school's courses/programs and related educational policies.)
____	____	e. Inability to maintain instructional staff stability (e.g., an institution makes a practice of continually replacing its instructors after a course or program has begun.)
____	____	f. Inability to maintain financial stability (e.g., an institution does not undergo regular certified audits and fails to maintain sufficient reserve funds to meet standard contingencies such as tuition refund requests.)
____	____	g. Inadequate instructional programs and facilities (e.g., an institution fails to keep its occupational preparation curricula and facilities current, e.g., does not use advisory committees or carry out regular reviews.)
____	____	h. Faulty recordkeeping practices (e.g., an institution fails to maintain standard kinds of academic information on its students, and/or does not ensure the availability of these records.)

2. For each practice above where you indicated your staff has exercised regulatory responsibility, indicate on the next page how many times each designated type of action has been initiated in the past year (1976):

Type of Abuse	# of Informal Agency Actions (e.g., informal hearings) Initiated	# of Formal Agency Actions (e.g.,formal hearings) Initiated	# of Court Actions Initiated
Refund Practices			
Advertising Practices			
Admission Practices			
Disclosure in Documents			
Financial Stability			
Instructional Staff Stability			
Instructional Programs and Facilities			
Recordkeeping Practices			
Other or a combination of abuses (please describe) ____________ ____________			
Total ____________			

NOTE: The intent of this item is to arrive at a simple tabulation of types of enforcement actions initiated by this agency, either alone or in cooperation with other agencies (e.g., Attorney General's office). If a particular problem in one school was the topic of an informal hearing, a formal hearing, and a court action, three actions would be tabulated.

C. Desired Assistance from the Federal Government (Especially USOE)

Please rate each of the possible federal assistance strategies shown on the list below according to their potential benefit for your agency. Use a scale of from 1 to 5, where 1 = no potential benefit, 2 = small, 3 = moderate, 4 = high, and 5 = great potential benefit for your agency.

____ 1. Establish a federal centralized clearinghouse for sharing information among state agencies about institutional approval status, student complaints, etc.

____ 2. Create an office in USOE to handle liaison between USOE and state authorizing and/or regulating agencies.

____ 3. Provide federal operating funds to state agencies for carrying out institutional inspection functions to certify institutional eligibility for federal postsecondary student assistance programs. (VA Model)

____ 4. Provide planning and development funds to states for developing a state plan to carry out institutional inspection functions.

____ 5. Establish a program for the federal government to match state monies spent to install or augment institutional inspection functions.

____ 6. Provide research and development funds for supporting research on topics of interest to states in eliminating institutional abuses to students.

____ 7. Provide operating funds to create a state ombudsman's office for handling educational consumer complaints about postsecondary institutions.

____ 8. Propose new federal legislation to extend the Mondale Amendment to private institutions in states which are willing to pass minimum standards for educational consumer protection.

____ 9. Award funds to independent contractors for preparation of inservice education programs for state agency staff on the following topics:

  ____a. implementing school inspection functions

  ____b. case studies based on experience of other states

  ____c. explanation of how to apply ECS Model Legislation

  ____d. hold state/regional or national conferences to promote mutual communications

____10. Other possible strategies not listed above:

  ____ a. ____

  ____ b. ____

  ____ c. ____

  ____ d. ____

  etc.

D. Critical Incidents

Please respond to the following by briefly describing incidents which have been particularly effective or ineffective in dealing with institutional abuse of students in your state.

1. Preventing Potential Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

   b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was unsuccessful?

2. Correcting Actual Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to correct the actual abuse of a student by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to correct the actual abuse of a student by a school.

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did your agency do?

Why do you feel the effort was unsuccessful?

OMB Clearance No. 51-S77-018
Expires 10/77

APPENDIX E

Survey of State Oversight in Postsecondary Education

Questionnaire for State Authorizing and/or egulating Agency for Private Degree Granting Institutions

The purpose of this survey is explained in the attached cover letter. Please read the letter before you examine this questionnaire, which is designed to gather a standardized set of data from agencies in all 50 states. Data are requested regarding your state's policies and practices for authorizing the operation of and/or overseeing *private postsecondary institutions which offer associate, bachelors or graduate degrees.*

You are requested not to try to complete this questionnaire now; you will be telephoned by an AIR staff member at ____________________ on ________________. At that time, the questions which follow will be asked and your responses and comments will be recorded. This questionnaire is only for your information and familiarization prior to the telephone call. If this time is inconvenient for you, or if you would like us to contact someone else to record the questionnaire responses, please call Dr. Steven Jung at AIR collect, at (415) 493-3550.

Thank you very much for your assistance.

Questionnaire for State Authorizing and/or Regulating Agency for Private Degree Granting Institutio

A. Agency Functions

1. Does this agency perform or participate in any of the following functions? (Please check (✓) all that apply and read the definitions of these terms, which will be used throughout the remainder of this questionnaire.)

____ a. *chartering* (Awarding a permit or charter to operate; i.e., a business permit, business license, corporate charter, etc.)

____ b. *institutional authorizing* (Granting an institution initial permission to offer educational services within this state; may also be called initial licensing, initial registering, initial approving, initial accrediting, or requiring performance bonds, depending on the state. Does not include simple chartering.)

What is this function actually called in your state? ____________

____ c. *institutional regulating or overseeing* (Granting an educational institution continuing permission to offer educational services; includes overseeing (or monitoring) functions, and the authority to prescribe or proscribe the policies and practices of institutions already operating in this state. May also be called continuing approval, registration renewal, licensing renewal, accreditation renewal, depending on the state.)

What is this function actually called in your state? ____________

____ d. *course or program authorizing* (Granting an already authorized educational institution initial permission to offer a specific program or course of studies.)

What is this function actually called in your state? ____________

____ e. *course or program regulating* (Granting an already authorized educational institution continuing permission to offer a specific educational program or course of studies.)

What is this function actually called in your state? ____________

____ f. *certifying institutional eligibility* for participating in *state* scholarship, grant, loan, or other student assistance programs.

What is this function actually called in your state? ____________

NOTE: If you did not check any of the above functions, you may discontinue completion of this questionnaire. We are interested only in these functions. If you did check one or more functions, please continue.

2. What additional functions are performed by your agency? (Check all that apply.)

___ a. Veterans Administration course or program approval of eligibility for veteran's benefits

___ b. granting licenses or performance bonds for salespersons, agents, or other commerical representatives of institutions

(1) How is "salesperson" defined in your state?

___ c. approval of specialized vocational programs of study, such as practical nurse education, barber training, cosmetology training, etc.

___ d. other (please describe)

3. Approximately how many institutions are authorized, regulated, or otherwise overseen by this agency for each of these function?

# of institutions

authorizing and/or regulating functions

a. chartering (issuing business permits) __________

b. institutional authorizing (initial operation) __________

c. institutional regulating (continuing oversight) __________

d. course authorizing in that institution __________

e. course regulating in that institution __________

f. certifying institutional eligibility __________

additional functions

a. VA course approval in that institution __________

b. salesperson bonding in that institution __________

(1) From how many salespersons or agents do you currently require licenses or bonds?

_______________ salespersons

c. specialized vocational program approval in that institution __________

d. other (as described above) __________

4. What were the sources of this agency's revenue in 1976?

	Approximate Revenues
a. State General Fund	$ ________
b. school authorizing or regulating fees	________
c. VA	________
d. other state resources (describe)	________
e. other sources (describe)	________
Total Approximate Revenues	$ ________

5. Does your agency receive services that are not counted among the above revenues? If yes, what are they? (e.g., clerical, legal, computer, office space, transportation pool, etc.)

6. How many persons (average FTE) were employed by this agency in 1976?
# of persons (average FTE) ____________

NOTE: For the remainder of this questionnaire, we are concerned only with that part of this agency's operations which concern the functions of chartering, institutional and course authorizing, and institutional and course regulation (item 3a). VA course approval and the other functions listed above (item 3b) are not of further interest, unless explicitly specified.

7. What percentage of the following resources of this agency was devoted to the chartering, authorizing, and/or regulating functions in 1976? Be sure not to include VA course approval or the other functions listed in item 3b.

	Approximate Percentage of Total Agency Resources
a. agency revenue in 1976	________ %
b. agency staff (average 1976 FTE)	________ %

8. If this agency performs the institutional regulating or overseeing function (see page 2 for the definition of this function), how frequently are authorized institutions required to seek formal renewal of their authorizations?

9. During the past five years, have any changes taken place in the institutional authorizing and/or oversight statutes or regulations under which your agency operates? If yes, please describe the changes, noting at least the following:

a. motivation for the change(s)?
b. initiated by whom?
c. perceived barriers to the change(s)?
d. was any legislation from other states used in this process?

10. How does your agency proceed with revising or establishing new regulations or rules? Please describe the procedures noting at least the following:

a. Is legal counsel involved in writing regulations or rules for authorizing, regulating, revoking, etc.?
b. Are affected institutions allowed or encouraged to speak at hearings?
c. Can institutions provide input into developing criteria for authorizing and regulating?
d. Are educational advisory boards or groups utilized? Are school representatives included in these boards or groups?
e. How are the new regulations or rules implemented?

11. List the *forms* which new institutions or educational programs seeking authorization by your agency are required to complete.

Authorizing Forms (for new institutions or programs)

____
____
____
____

12. List the *forms* which existing institutions or educational programs already authorized by your agency are required to complete.

Oversight Forms (for existing institutions or programs)

____
____
____
____

13. For each of the forms you listed in Items 11 and 12, briefly describe how and how often the effected institution goes about: (a) requesting it, (b) completing it, and (c) submitting it; then briefly describe: (d) the review by your agency, and (e) possible decision alternatives by your agency depending on information received.

14. Are on-site school visitations or inspections made? If yes, please answer questions 15 and 16 if they apply. If no, please go on to Item 17.

15. Describe the purposes and frequency of initial authorizing site visits, including at least the following:

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?

c. What is the average duration of the site visits?

d. Do these site visits occur in conjunction with visits for other purposes?

(1) VA course approval site visits

(2) private accreditation agency site visits

(3) other (please describe)

e. Are there any fixed educational standards or criteria which the site visit team seeks to apply?

16. Describe the purposes and frequency of continuing oversight site visits, including at least the following:

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?

c. What is the average duration of the site visits?

d. How frequently are site visits made?

e. Do these site visits occur in conjunction with visits for other purposes?

(1) VA course approval site visits

(2) private accreditation agency site visits

(3) other (please describe)

f. Are there any fixed educational standards or criteria which the site visit team seeks to apply?

17. Is there any variation in your agency's authorizing and/or oversight procedures for:

a. accredited schools or programs, as opposed to schools or programs that have not been so accredited? If so, please describe. Is there any distinction between "recognized" accreditation agencies and those not so recognized? How is "recognized" defined?

b. schools or programs which offer a "nontraditional" educational program (e.g., individual learning programs, flexible instructional schedules, etc.)? If so, please describe.

c. private programs or institutions that are incorporated outside your state but operate in your state? If so, please describe. Are institutions or programs which are operating only on federal property (e.g., military bases) exempted?

d. private programs or institutions incorporated in your state that operate out-of-state? If so, please describe.

e. correspondence institutions? If so, please describe.

f. programs which are operated by private educational organizations under contract to and under the auspices of institutions in your state?

18. Does your agency have legal authority to seek injunctions or other legal remedies before a court of law in cases of alleged violations by institutions?

19. Does your state have an Administrative Procedures Act that determines procedures to be followed during formal investigations and/or hearings into alleged violations by institutions?

20. In investigations and court actions in cases of alleged violations by institutions, what are the roles of the following?

a. legal staff from your agency

b. legal staff from the State Attorney General's office

c. legal staff from other state or private sources, if any (please describe)

21. Is there a centralized system or procedure for handling written or verbal complaints from students (or parents, teachers, etc.) about schools or programs over which your agency exercises authority? If yes, does it include:

a. a requirement that the complaining party file a formal written notice of the complaint before it can be investigated?

b. a method for bringing class action suits by students?

c. authorization for students (or their legal representatives) to have access to your agency's records for bringing suits?

22. Is institutional information derived from investigations or student complaints sent by your agency to any of the following?

a. accreditation agencies

b. government agencies in other states which perform school authorizing/ oversight

c. federal government agencies (USOE, VA)

If yes for any of these, with what frequency and in what form (written or oral)?

23. In the past year, has your agency received any student (or parent, teacher, etc.) complaints about institutions or programs over which it has authority? If yes, about how many were received directly and how many by referral from other sources? _____ directly _____ referral

a. Into which of the following categories do these complaints fit? (Estimate percentages if necessary; see p. 11 for definitions of categories.)

(1) refund practices _____%

(2) advertising practices _____%

(3) admission practices _____%

(4) disclosure in written documents _____%

(5) instructional staff stability _____

(6) financial stability _____%

(7) instructional programs and facilities _____%

(8) recordkeeping practices _____%

(9) other (please describe) ______________________________%

Percentages should total 100%.

b. Of the complaints received by, or referred to, your agency in the past year, how many: (estimate percentages if necessary)

(1) were not followed up? _____%

(2) were followed up and resolved informally? _____%

(3) were used as a basis for formal investigation and resolution through hearings and/or court actions? _____%

Percentages should total 100%.

24. Please briefly describe the formal and/or informal relationships, if any, between your agency and the following state government agencies or bodies, (if the agency exists in your state).

a. Office of the Governor
b. Legislative Body
c. Attorney General's Office
d. Office of the Secretary of State
e. Office of Consumer Affairs
f. Veterans Administration state approving agency (or agencies)
g. State Board of Vocational Education
h. State Department of Education (or Higher Education)
i. state postsecondary education coordinating (1202) commission (if any)
j. state governing board for postsecondary or higher education (if different from i)
k. state planning board for postsecondary or higher education (if different from i or j)

25. Please describe the formal and/or informal relationships, if any, between your agency and the following non-governmental agencies or bodies.

a. institutional accrediting bodies
b. specialized school or program accrediting bodies
c. Better Business Bureaus
d. state associations of school administrators, operators, owners, etc.
e. consumer interest groups

26. Does your agency have any specific written procedures for requesting advice or assistance from the following? If so, please describe.

a. members of the general public
b. citizen advisory boards or groups
c. students or student associations
d. legal associations (e.g., bar associations)

27. Does your agency regularly supply any of the following to the general public about the schools over which it exercises authority?

a. lists of approved schools
b. lists of schools whose authorizations to operate were revoked or limited
c. other information about school policies or authorization status
d. information about student consumer rights

28. Has your agency ever disseminated information about denial, suspension, or revocation of an institution's authorization to any of the following?

a. the public media
b. law enforcement agencies in your state
c. government agencies in other states responsible for authorizing and/or overseeing schools which might be operating in those states
d. the federal government (USOE, VA)

If yes for any of these, as a matter of policy (required) or as a matter of discretion (permitted)? Is the information written (formal) or oral (informal)?

29. Does your state have a public meeting/open records act or similar "sunshine" law? If so, to what extent have the laws been interpreted to apply to state authorizing and oversight functions (e.g., is a site visit report a public document?)?

30. Are institutions required to notify your agency if there is a change in institutional ownership? If yes,

a. how is "ownership change" defined?
b. does an ownership change affect an institution's status with regard to authorization to operate?

B. Institutional Policies and Practices Which Have Potential for Educational Consumer Abuse

1. Please check (✓) if your agency can (has authority to) prohibit each of the following categories of institutional practices which have been identified as abusive to students. Also check which are (actually have been) prohibited or regulated.

Has Authority	Actually Prohibits	
____	____	a. Inadequate institutional refund policies and practices (e.g., a school requires prospective students to pay tuition, room and board charges, or application fees before starting classes, and has either an unfair or nonexistent policy for refunding these charges.)
____	____	b. Misleading advertising practices (e.g., an institution uses fraudulent or misleading advertising about its courses or programs to attract students.)
____	____	c. Deceptive admission practices (e.g., an institution "pressures" prospective students into enrolling through unscrupulous recruiting practices.)
____	____	d. Inadequate disclosure in documents (e.g., an institution fails to furnish students and prospective students with a catalog, or other booklet that serves as a catalog, providing essential information on the school's courses/programs and related educational policies.)
____	____	e. Inability to maintain instructional staff stability (e.g., an institution makes a practice of continually replacing its instructors after a course or program has begun.)
____	____	f. Inability to maintain financial stability (e.g., an institution does not undergo regular certified audits and fails to maintain sufficient reserve funds to meet standard contingencies such as tuition refund requests.)
____	____	g. Inadequate instructional programs and facilities (e.g., an institution fails to keep its occupational preparation curricula and facilities current, e.g., does not use advisory committees or carry out regular reviews.)
____	____	h. Faulty recordkeeping practices (e.g., an institution fails to maintain standard kinds of academic information on its students, and/or does not ensure the availability of these records.)

2. For each practice above where you indicated your staff has exercised regulatory responsibility, indicate on the next page how many times each designated type of action has been initiated in the past year (1976):

Type of Abuse	# of Informal Agency Actions (e.g., informal hearings) Initiated	# of Formal Agency Actions (e.g.,formal hearings) Initiated	# of Court Actions Initiated
Refund Practices			
Advertising Practices			
Admission Practices			
Disclosure in Documents			
Financial Stability			
Instructional Staff Stability			
Instructional Programs and Facilities			
Recordkeeping Practices			
Other or a combination of abuses (please describe) ____________ ____________			
Total ____________			

NOTE: The intent of this item is to arrive at a simple tabulation of types of enforcement actions initiated by this agency, either alone or in cooperation with other agencies (e.g., Attorney General's office). If a particular problem in one school was the topic of an informal hearing, a formal hearing, and a court action, three actions would be tabulated.

C. Desired Assistance from the Federal Government (Especially USOE)

Please rate each of the possible federal assistance strategies shown on the list below according to their potential benefit for your agency. Use a scale of from 1 to 5, where 1 = no potential benefit, 2 = small, 3 = moderate, 4 = high, and 5 = great potential benefit for your agency.

____ 1. Establish a federal centralized clearinghouse for sharing information among state agencies about institutional approval status, student complaints, etc.

____ 2. Create an office in USOE to handle liaison between USOE and state authorizing and/or regulating agencies.

____ 3. Provide federal operating funds to state agencies for carrying out institutional inspection functions to certify institutional eligibility for federal postsecondary student assistance programs. (VA Model)

____ 4. Provide planning and development funds to states for developing a state plan to carry out institutional inspection functions.

____ 5. Establish a program for the federal government to match state monies spent to install or augment institutional inspection functions.

____ 6. Provide research and development funds for supporting research on topics of interest to states in eliminating institutional abuses to students.

____ 7. Provide operating funds to create a state ombudsman's office for handling educational consumer complaints about postsecondary institutions.

____ 8. Propose new federal legislation to extend the Mondale Amendment to private institutions in states which are willing to pass minimum standards for educational consumer protection.

____ 9. Award funds to independent contractors for preparation of inservice education programs for state agency staff on the following topics:

  ____a. implementing school inspection functions

  ____b. case studies based on experience of other states

  ____c. hold state/regional or national conferences to promote mutual communications

____10. Other possible strategies not listed above:

  ____ a. ________________________________

  ____ b. ________________________________

  ____ c. ________________________________

  ____ d. ________________________________

  etc.

D. Critical Incidents

Please respond to the following by briefly describing incidents which have been particularly effective or ineffective in dealing with institutional abuse of students in your state.

1. Preventing Potential Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

   b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was unsuccessful?

2. Correcting Actual Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to correct the actual abuse of a student by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to correct the actual abuse of a student by a school.

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did your agency do?

Why do you feel the effort was unsuccessful?

OMB Clearance No. 51-S77-018
Expires 10/77

APPENDIX F

Survey of State Oversight in Postsecondary Education

Questionnaire for State Authorizing and/or Regulating Agency for Public Degree and Non-degree Granting Institutions

The purpose of this survey is explained in the attached cover letter. Please read the letter before you examine this questionnaire, which is designed to gather a standardized set of data from agencies in all 50 states. Data are requested regarding your state's policies and practices for authorizing the operation of and/or overseeing *public postsecondary institutions which offer associate, bachelors or graduate degrees or which do not offer such degrees.*

You are requested not to try to complete this questionnaire now; you will be telephoned by an AIR staff member at ____________ on ________________. At that time, the questions which follow will be asked and your responses and comments will be recorded. This questionnaire is only for your information and familiarization prior to the telephone call. If this time is inconvenient for you, or if you would like us to contact someone else to record the questionnaire responses, please call Dr. Steven Jung at AIR collect, at (415) 493-3550.

Thank you very much for your assistance

Questionnaire for State Authorizing and/or Regulating Agency for Public Degree and Non-degree Granting Institutions

A. Governing Agency Functions

1. Does this agency perform or participate in any of the following functions? (Please check (✓) all that apply and read the definitions of these terms, which will be used throughout the remainder of this questionnaire.)

____ a. institutional *authorizing* (Includes chartering or other legal authorization for institutions to offer educational services, courses, programs, or degrees at the postsecondary level.)

What is this function actually called in your state? ____________

____ b. institutional *governing* and/or *regulating* or *overseeing* (Granting an educational institution continuing permission to offer educational services; includes overseeing (or monitoring) functions, and the authority to prescribe or proscribe the policies and practices of institutions already operating in your state.)

What is this function actually called in your state? ____________

____ c. course or program *authorizing* (Granting an already authorized educational institution initial permission to offer a specific educational program or course of studies.)

What is this function actually called in your state? ____________

____ d. course or program *governing* and/or *regulating* (Granting an already authorized educational institution continuing permission to offer a specific educational program or course of studies.)

What is this function actually called in your state? ____________

____ e. *certifying eligibility* for federal student assistance programs (Mondale amendment certification) for public vocational training schools.

What is this function actually called in your state? ____________

____ f. *certifying institutional eligibility* for participating in state scholarship, grant, loan, or other student assistance programs.

What is this function actually called in your state? ____________

NOTE: If you did not check any of the above functions, you may discontinue completion of this questionnaire. We are interested only in these functions. If you did check one or more functions, please continue.

2. What additional functions are performed by your agency? (Check all that apply.)

___ a. Veterans Administration course or program approval of eligibility for veteran's benefits

___ b. approval of specialized vocational programs of study, such as practical nurse education, barber training, cosmetology training, etc.

___ c. legal responsibility for educational program planning and coordinating for postsecondary institutions ("1202" authority)

___ d. legal authority for budgetary review and recommendations for public postsecondary institutions and programs

___ e. other (please describe)

3. Approximately how many institutions are authorized, regulated, or otherwise overseen by this agency for each of these functions?

	# of institutions
authorizing and/or regulating functions	
a. institutional authorizing (initial operation)	________
b. institutional regulating (continuing oversight)	________
c. course authorizing in that institution	________
d. course regulating in that institution	________
e. certifying institutional eligibility for federal programs	________
f. certifying institutional eligibility for state programs	________
additional functions	
a. VA course approval in that institution	________
b. specialized program approval in that institution	________
c. program planning and coordinating	________
d. budgeting review	________
e. other (as described above)	________

4. How many persons (average FTE) were employed by this agency in 1976?

# of persons (average FTE) ____________

NOTE: For the remainder of this questionnaire, we are concerned only with that part of this agency's operations which concern the functions of chartering, institutional and course authorizing, and institutional and course regulation (item 3a). VA course approval and the other functions listed above (item 3b) are not of further interest, unless explicitly specified.

5. Are on-site school visitations or inspections made? If yes, please answer questions 6 and 7 if they apply. If no, please go on to Item 8.

6. Describe the purposes and frequency of initial authorizing site visits, including at least the following:

   a. By whom are the site visits made?

   b. Is there a required level of education or experience for the site-visitors?

   c. What is the average duration of the site visits?

   d. Do these site visits occur in conjunction with visits for other purposes?

      (1) VA course approval site visits

      (2) private accreditation agency site visits

      (3) other (please describe)

   e. Are there any fixed educational standards or criteria which the site visit team seeks to apply?

7. Describe the purposes and frequency of continuing oversight site visits, including at least the following:

   a. By whom are the site visits made?

   b. Is there a required level of education or experience for the site-visitors?

   c. What is the average duration of the site visits?

   d. How frequently are site visits made?

   e. Do these site visits occur in conjunction with visits for other purposes?

      (1) VA course approval site visits

      (2) private accreditation agency site visits

      (3) other (please describe)

   f. Are there any fixed educational standards or criteria which the site visit team seeks to apply?

8. Is there any variation in your agency's authorizing and/or regulating procedures for:

a. accredited and/or state agency approved schools or programs as opposed to schools or programs that have not been so accredited or approved? If so, please describe. Is there any distinction between "recognized" accreditation agencies and those not so recognized? How is "recognized" defined?

b. schools or programs which offer a "nontraditional" educational program (e.g., individual learning programs, flexible instructional schedules, external degree programs, etc.)? If so, please describe.

c. public out-of-state programs or institutions that operate in your state? If so, please describe. Are institutions operating only on federal property (e.g., military bases) affected?

d. public programs or institutions originating in your state that operate out-of-state? If so, please describe.

e. correspondence programs? If so, please describe.

f. public schools or programs which offer specialized vocational courses or programs to their students by contracting with private educational organizations?

9. Is there a centralized system or procedure for handling written or verbal complaints from students (or parents, teachers, etc.) about schools or programs over which your agency exercises authority? If yes, does it include:

a. a requirement that the complaining party file a formal written notice of the complaint before it can be investigated?

b. a method for bringing class action suits by students?

c. authorization for students (or their legal representatives) to have access to your agency's records for bringing suits?

10. Is institutional information derived from investigations or student complaints sent by your agency to any of the following?

a. accreditation agencies

b. government agencies in other states which perform school authorizing/regulating

c. federal government agencies (USOE, VA)

If yes for any of these, with what frequency and in what form (written or oral)?

11. In the past year, has your agency received any student (or parent, teacher, etc.) complaints about institutions or programs over which it has authority? If yes, about how many were received directly and how many by referral from other sources? _____ directly _____ referral

a. Into which of the following categories do these complaints fit? (Estimate percentages if necessary; see p. 11 for definitions of categories.)

(1) refund practices _____%

(2) advertising practices _____%

(3) admission practices _____%

(4) disclosure in written documents _____%

(5) instructional staff stability _____%

(6) financial stability _____%

(7) instructional programs and facilities _____%

(8) recordkeeping practices _____%

(9) other (please describe) ______________________________%

Percentages should total 100%.

b. Of the complaints received by, or referred to, your agency in the past year, how many: (estimate percentages if necessary)

(1) were not followed up? _____%

(2) were followed up and resolved informally? _____%

(3) were used as a basis for formal investigation and resolution through hearings and/or court actions? _____%

Percentages should total 100%.

12. Please briefly describe the formal and/or informal relationships, if any, between your agency and the following state government agencies or bodies, (if the agency exists in your state).

a. Office of the Governor

b. Legislative Body

c. Attorney General's Office

d. Office of the Secretary of State

e. Office of Consumer Affairs

f. Veterans Administration state approving agency (or agencies)

g. State Board of Vocational Education

h. State Department of Education (or Higher Education)

i. state postsecondary education coordinating (1202) commission (if any)

j. state governing board for postsecondary or higher education (if different from i)

k. state planning board for postsecondary or higher education (if different from i or j)

13. Please describe the formal and/or informal relationships, if any, between your agency and the following non-governmental agencies or bodies.

a. institutional accrediting bodies

b. specialized school or program accrediting bodies

c. state associations of institutional administrators, faculty, students, etc.

d. consumer interest groups

B. Institutional Policies and Practices Which Have Potential for Educational Consumer Abuse

1. Please check (✓) if your agency can (has authority to) prohibit each of the following categories of institutional practices which have been identified as abusive to students. Also check which are (actually have been) prohibited or regulated.

Has Authority	Actually Prohibits	
____	____	a. Inadequate institutional refund policies and practices (e.g., a school requires prospective students to pay tuition, room and board charges, or application fees before starting classes, and has either an unfair or nonexistent policy for refunding these charges.)
____	____	b. Misleading advertising practices (e.g., an institution uses fraudulent or misleading advertising about its courses or programs to attract students.)
____	____	c. Deceptive admission practices (e.g., an institution "pressures" prospective students into enrolling through unscrupulous recruiting practices.)
____	____	d. Inadequate disclosure in documents (e.g., an institution fails to furnish students and prospective students with a catalog, or other booklet that serves as a catalog, providing essential information on the school's courses/programs and related educational policies.)
____	____	e. Inability to maintain instructional staff stability (e.g., an institution makes a practice of continually replacing its instructors after a course or program has begun.)
____	____	f. Inability to maintain financial stability (e.g., an institution does not undergo regular certified audits and fails to maintain sufficient reserve funds to meet standard contingencies such as tuition refund requests.)
____	____	g. Inadequate instructional programs and facilities (e.g., an institution fails to keep its occupational preparation curricula and facilities current, e.g., does not use advisory committees or carry out regular reviews.)
____	____	h. Faulty recordkeeping practices (e.g., an institution fails to maintain standard kinds of academic information on its students, and/or does not ensure the availability of these records.)

2. For each practice above where you indicated your staff has exercised regulatory responsibility, indicate on the next page how many times each designated type of action has been initiated in the past year (1976):

Type of Abuse	# of Informal Agency Actions (e.g., informal hearings) Initiated	# of Formal Agency Actions (e.g.,formal hearings) Initiated	# of Court Actions Initiated
Refund Practices			
Advertising Practices			
Admission Practices			
Disclosure in Documents			
Financial Stability			
Instructional Staff Stability			
Instructional Programs and Facilities			
Recordkeeping Practices			
Other or a combination of abuses (please describe) __________ __________			
Total __________			

NOTE: The intent of this item is to arrive at a simple tabulation of types of enforcement actions initiated by this agency, either alone or in cooperation with other agencies (e.g., Attorney General's office). If a particular problem in one school was the topic of an informal hearing, a formal hearing, and a court action, three actions would be tabulated.

C. Desired Assistance from the Federal Government (Especially USOE)

Please rate each of the possible federal assistance strategies shown on the list below according to their potential benefit for your agency. Use a scale of from 1 to 5, where 1 = no potential benefit, 2 = small, 3 = moderate, 4 = high, and 5 = great potential benefit for your agency.

____ 1. Establish a federal centralized clearinghouse for sharing information among state agencies about institutional approval status, student complaints, etc.

____ 2. Create an office in USOE to handle liaison between USOE and state authorizing and/or regulating agencies.

____ 3. Provide federal operating funds to state agencies for carrying out institutional inspection functions to certify institutional eligibility for federal postsecondary student assistance programs. (VA Model)

____ 4. Provide planning and development funds to states for developing a state plan to carry out institutional inspection functions.

____ 5. Establish a program for the federal government to match state monies spent to install or augment institutional inspection functions.

____ 6. Provide research and development funds for supporting research on topics of interest to states in eliminating institutional abuses to students.

____ 7. Provide operating funds to create a state ombudsman's office for handling educational consumer complaints about postsecondary institutions.

____ 8. Propose new federal legislation to extend the Mondale Amendment to private institutions in states which are willing to pass minimum standards for educational consumer protection.

____ 9. Award funds to independent contractors for preparation of inservice education programs for state agency staff on the following topics:

- ____a. implementing school inspection functions
- ____b. case studies based on experience of other states
- ____c. hold state/regional or national conferences to promote mutual communications

____10. Other possible strategies not listed above:

- ____ a. ______________________________
- ____ b. ______________________________
- ____ c. ______________________________
- ____ d. ______________________________

etc.

D. Critical Incidents

Please respond to the following by briefly describing incidents which have been particularly effective or ineffective in dealing with institutional abuse of students in your state.

1. Preventing Potential Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

   b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was unsuccessful?

2. Correcting Actual Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to correct the actual abuse of a student by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to correct the actual abuse of a student by a school.

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did your agency do?

Why do you feel the effort was unsuccessful?

APPENDIX G

SITE VISIT INTERVIEW GUIDE

State: ______________________ Interviewee: ______________________

Interviewer: ______________________ Date: ______________________

1. If interviewee was also interviewed by phone, verify his/her responses to the following items:

   Private/Section A, items 1, 2, 3a-f, 3'a-d, 15e, 16f, 17a, 17a', 18, 21, 22, 28d, 28e; Section B, item 1

   Verify by asking "Is it correct that...?" or "Have we recorded ... correctly?" Record all responses that are at variance with the existing responses, on the original telephone Interview Guide and in a distinctly colored ink; then circle the item number above.

   If there were questions or omissions on the original Interview Guide, clarify/correct these also and record the correct responses.

   Bring all corrected data on the original Interview Guide to Jim Shearer's attention upon your return.

2. If the interviewee has already supplied critical incidents, review these in advance. Make sure that each is a discrete incident; insure that it describes a specific situation and that it describes:

   (a) what an institution was doing to abuse a student (or students);

   (b) the type of institution and program (e.g., a proprietary medical assistant's school, or a practical nursing program in a private junior college);

   (c) the specific activities taken by the state oversight agency (and/or other agencies, including AG's office, etc.); and

   (d) the successful or unsuccessful outcomes of the actions, if any (e.g., the student got a refund, the school was closed, the school went on operating as before).

   Do not ask for any new incidents until all previous incidents needing clarification have been clarified.

3. For "first-time" interviewees, begin with this item. For persons who are being reinterviewed, ask if there are any additional or new incidents they could report.

   Record all incidents on separate pieces of paper, by number, e.g., 3a(1), 3c(3), etc.

   a. "Think of a time during the last year when you participated in or became aware of a particularly successful effort by your state's school oversight or law enforcement agencies to prevent the potential abuse of students by a school.

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did the agency do?

What resulted?

Why do you feel the effort was successful?

b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your state's school oversight or law enforcement agencies to prevent the potential abuse of students by a school.

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did the agency do?

What resulted?

Why do you feel the effort was unsuccessful?

c. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your state's school oversight or law enforcement agencies to correct the actual abuse of a student by a school.

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did the agency do?

What resulted?

Why do you feel the effort was successful?

d. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your state's school oversight or law enforcement agencies to correct the actual abuse of a student by a school?

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did the agency do?

What resulted?

Why do you feel the effort was unsuccessful?"

For each of items a, b, c, and d above, repeat the items until you have exhausted the interviewee's store of incidents.

4. For at least one incident recorded in items #2 and/or #3 above, collect enough detail and narrative to construct a case study up to five typewritten pages in length. We do not need names, dates, etc.; do not write down any personally identifiable information. However, make sure the abuses, methods of identification of abuses, investigation techniques, state agency actions and actors, and outcomes are clearly specified.

5. Be sure you are familiar with the state's legally-prescribed relationships with accreditation agencies; also be familiar with the responses to telephone Interview Guide items 15d(2), 16e(2), 17a, 22a, 25a, and 25b.

   Record all incidents on separate pieces of paper, by number.

   a. "Think of a time during the past year when you became aware of some problem with a school in which your state's school oversight agency was involved with or sought to involve an accreditation agency.

      What were the circumstances?

      What was the specific nature of the problem?

      How and when did the problem come to your attention?

      What type of school and accreditation agency were involved?

      What was the nature of the state oversight agency's involvement or requests?

      What resulted?

      Were the results predominantly positive or negative, in your opinion?"

   b. "Can you think of a similar case in which the results were (opposite of the positive or negative results reported above)?" Repeat the stimulus questions listed in a above.

   For each of items a and b above, repeat the items until you have exhausted the interviewee's store of incidents.

6. Ask the interviewee to describe in his or her own opinion, what changes and/or additional resources, if any, are needed to improve the state's functioning to protect students from abuses by postsecondary institutions. If the interviewee feels no improvements are needed, note this.

Write down the interviewee's response in outline form.

7. If any needed changes and/or resources were named in item #6, ask the interviewee to describe the barriers he/she perceives to making these changes or obtaining the necessary resources.

   Write down the interviewee's responses in outline form.

8. Ask the interviewee to describe his or her view of the proper role, if any, of the Federal Government, especially the U.S. Office of Education, in assisting his or her state to improve its oversight of postsecondary educational institutions.

   Write down the interviewee's responses in outline form.

9. Ask the interview to describe his or her concept of the "triad" or "tripartite system" for institutional eligibility determination. Ask "Should the state role be stronger relative to the Federal Government and private accreditation agencies in this system? If so, why? If not, why not?"

   Write down the interviewee's responses in outline form.

10. What is the position of the interviewee? (e.g. 1202 Commission staff, Legislation, AG staff, State degree-granting licensing agency head, etc.) ______________

11. If the interviewee is a licensing agency staff person, ask these questions:

    a. How many times has the head of this agency changed in the past 5 years? ________

    b. What is the highest level of education earned by the present head of this agency? (e.g., BA, MS. LLB, etc.) _________

    c. Approximately how many times in the past year have you communicated with the head of an agency similar to yours in another State about a particular school, school official, salesperson, etc. If none, indicate zero.

       _______ times by phone
       _______ times by letter
       _______ total

12. For all interviewees, ask these questions:

    a. Do you feel this state needs stronger laws to protect students against possible abuses by postsecondary institutions? _____ yes _____no

       (check one)

b. Do you feel the state's basic consumer protection laws (if any) have sufficient relevance for the prevention or correction of institutional abuse against students? (check one)

_____ Highly relevant
_____ Partially relevant
_____ Not relevant
_____ No consumer protection laws in the state

APPENDIX H

DETAILED STATE-BY-STATE ANALYSIS OF STATUTES AND REGULATIONS GOVERNING PRIVATE NONDEGREE-GRANTING INSTITUTIONS

Private nondegree

A. Institutional purpose, governance, operation, and organization

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.				X			X														X		X											X			X		X	X	X	X					X			X	
2.				X			X					X		X							X	X	X								X	X	X			X			X		X						X				
3.					X																																														
4.										X	X																					X																			
5.										X					X																																				
6.										X																																									
7.														X																																					
8.															X																																				
9.															X																																				

1. Requires ethical or legitimate operating practices
2. Prohibits or regulates commercial activities
3. Requires directors (5)
4. Requires statement of institutional philosophy or goals
5. Requires administrative policies and procedures to insure accomplishment of purpose
6. Requires school to try to earn the respect of employers
7. Requires residence schools to be organized according to accepted principles
8. Requires organization chart with duties
9. Requires administrator and assistant administrator

Private nondegree

B. Course length, content, goals, or objectives

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X			X	X		X																X							X			X	X							X									X	
2.	X	X			X	X				X	X						X										X		X			X				X	X	X			X		X	X			X				X
3.	X																										X																								X
4.	X						X																				X												X												X
5.	X		X	X			X			X	X													X													X		X	X		X		X				X		X	X
6.				X																					X									X					X												
7.											X																																								
8.																					X				X																										
9.																													X																						
10.																																				X															
11																																X																			
12.																																X																			
13.																							X													X			X			X					X	X			
14.					X	X																									X	X				X							X				X				
15.												X						X																																	

1. Recuires courses, curriculum, and instruction to be consistent with general standards
2. Requires them to be adequate to reach objectives of course
3. Requires them to be organized on systematic basis
4. Requires them to include instruction in safety and/or hygiene
5. Requires them to enhance the employability or skill of students
6. Sets minimum time requirements
7. Requires schedule so students may complete in time described
8. Includes requirements relating to lab work
9. Requires instruction in constitution
10. Requires instruction to be provided as stipulated
11. Requires use of adequately comprehensive materials
12. Requires evidence of continued improvement
13. Requires instructional materials or courses to reflect current occupational knowledge and practice or to conform with occupational standards
14. Requires statement of objectives for courses
15. Requires course to be adequate to provide training or education to students

Private nondegree

C. Degrees, diploma, credential, or graduation requirements

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X	X		X		X	X				X	X					X	X			X		X				X		X			X		X			X	X		X	X		X	X				X			X
2.			X																																																
3.				X			X				X																																								
4.					X																																														
5.					X																																														
6.					X																																														
7.						X																																													
8.										X				X																																					
9.											X																																								
10.															X																					X			X												
11																						X							X																						
12.																																																			
13																																												X								

1. Requires the granting of educational credentials
2. Requires documentation of student proficiency prior to graduation
3. Requires approval to issue certificates or diplomas
4. Honorary degrees must be so marked
5. Prohibits selling or use of degrees not earned
6. Prohibits granting educational credentials solely for transfer credits
7. Requires students be provided with copy of their records upon graduation
8. Requires policies to be established and published relating to the award of credentials
9. Prohibits issuing educational credentials which misrepresent nature of course
10. Sets minimum requirements in time
11. Sets contents of educational credential only
12. Requires students to pass an exam on constitutions
13. Diplomas or degrees shall be issued only on completion of a standard diploma or degree course

Private nondegree

D. Staff

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X	X		X	X	X		X		X	X			X	X		X	X				X		X	X		X			X		X		X		X	X	X	X	X	X	X	X	X			X			X	X
2.	X	X	X	X	X	X	X				X						X	X			X						X	X	X		X	X	X	X			X	X	X		X		X	X						X	X
3.	X	X	X	X	X	X				X	X				X		X	X	X		X	X		X			X	X	X	X		X		X			X	X			X		X	X						X	X
4.		X			X									X								X			X											X		X													
5.	X		X			X	X			X	X	X		X	X						X							X	X		X	X	X	X		X	X		X	X			X	X			X				X
6.	X				X	X	X				X			X								X		X	X			X		X	X		X	X		X	X	X	X			X	X				X				
7.	X				X	X	X				X	X		X	X							X		X				X		X	X	X	X			X		X	X			X	X				X				X
8.					X	X						X		X															X	X			X						X												
9.										X		X										X	X							X	X	X	X					X		X			X								
10.				X		X	X							X							X		X		X		X		X		X			X					X				X	X							
11							X							X																	X			X									X								
12.							X																																X												
13.						X					X										X						X					X						X					X								
14.						X					X																				X		X										X	X							
15.												X									X																														
16.														X											X											X															
17.														X																		X											X								
18.															X																																				
19.																							X								X	X																			
20.							X															X	X											X	X	X			X	X											
21.																													X					X					X												
22.	X					X	X															X						X		X		X	X						X				X								

1. Requires adequate or sufficient personnel
2. Requires directors, instructors, etc. to be of good moral character
3. Requires adequate education and/or work experience qualifications
4. Requires personnel have not been convicted
5. Special requirements for director or manager
*6. Requires specific educational qualifications for instructors
*7. Requires appropriate work experience of instructors
*8. Requires instructors to be credentialed
9. Requires instructors to be licensed in field if required for employment
10. Includes student/teacher ratio requirements or class size requirements
11. Requires instructors to be citizens and/or 21 years old
12. Requires instructors to provide health statement/meet health requirements
13. Requires instructors to keep current
14. Requires special qualifications of instructors in special fields
*15. Includes maximum teaching hour requirements
16. Applicant may not be mentally incompetent or addicted
17. Requires policies to encourage professional growth
18. Includes requirements on the percentage of courses taught by instructors with special qualifications
19. Requires owners to have record of business integrity and ethical practices
20. Data on individual members are evaluated/faculty are approved
21. Includes restrictions on number of part-time instructors
*22. Requires training in teaching or teaching experience

*Various alternatives are available. Requirement may not apply in each case.

Private nondegree

E. Facilities

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS
1.	X	X	X	X	X	X				X	X				X		X
2.		X		X	X	X	X	X		X	X	X		X	X		X
3.											X						
4.			X											X			
5.				X	X												
6.					X							X					
7.							X							X			
8.							X			X					X		
9.							X			X	X	X			X		
10.										X	X			X			
11											X	X		X	X		
12.												X					
13.																	
14.																	
15.																	
16.																	
17.																	
18.																	
19.																	

	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC
1.	X					X	X	X		X	X	X	X			X	X
2.	X	X		X	X	X	X			X	X	X	X	X	X	X	X
3.		X				X	X					X	X				
4.														X			
5.																	
6.		X								X				X	X	X	X
7.										X							
8.															X		
9.				X			X			X	X		X	X	X		
10.		X												X	X		
11								X			X	X					
12.				X	X							X					
13.				X													
14.					X												
15.					X												
16.								X				X					
17.								X									
18.															X		
19.																	

	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.			X	X	X	X	X	X	X	X			X			X	X
2.		X	X	X	X	X	X	X	X	X			X				X
3.				X	X			X	X	X							
4.																	
5.					X					X							
6.		X			X											X	X
7.		X			X												
8.																	
9.	X	X			X	X		X		X							X
10.						X				X							
11	X						X		X							X	
12.					X	X							X				
13.		X															
14.																	
15.																	
16.		X			X												
17.																	
18.		X			X												
19.					X												X

1. Requires adequate space, equipment, or instructional material
2. Requires compliance with laws or standards related to health, and safety
3. Requires student housing to be adequate and safe or conform to laws
4. Requ[illegible]rance
5. Prohibits exceeding enrollment limits or facilities
6. Requires equipment and materials to be suitable, appropriate, or proper
7. Requires equipment and/or texts to be up to date
8. Includes standards related to the library
9. Requires an adequate quantity of materials or equipment
10. Requires training equipment to be similar to that used in occupational practice
11. Requires inspection and/or approval of facilities related to educational standards
12. Requires inspection and/or approval of facilities related to health and safety standards
13. Requires housing and/or training space to conform to good school practice and standards
14. Prohibits using a private residence as a school
15. Prohibits using a commercial establishment as a school
16. Requires classrooms and shops to conform to specific square footage standards
17. Requires equipment to meet specific standards
18. Requires safety devices on dangerous equipment
19. Requires compliance with standards related to temperature, lighting, ventilation, sanitary facilities, and/or drinking water

Private nondegree

F. Financial stability

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO
1.	X	X	X	X	X						X						X	X				X	X	X		
2.	X			X	X	X			X	X				X								X	X	X	X	
3.				X																						
4.																			X							
5.							X														X		X			
6.	X		X	X		X				X	X	X		X	X		X		X			X		X		
7.			X			X								X					X							
8.																										
9.																										
10.																								X		

	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X	X	X	X		X		X			X	X			X	X	X	X						X	X
2.				X	X	X	X	X	X	X	X	X	X	X		X		X			X				X
3.								X																	
4.																									
5.																									
6.	X	X	X			X	X	X		X	X	X	X	X	X	X	X	X			X			X	X
7.	X											X		X		X	X	X						X	
8.			X																						
9.							X																		
10.										X			X								X				

1. Requires school to be financially sound or stable
2. Requires adequate resources or finances
3. Requires maintenance of satisfactory credit
4. Requires evidence of solvency
5. Adequate financial records shall be maintained
6. Financial statement must be supplied
7. Financial statement must be audited or prepared by a CPA or independent accountant
8. Requires granting of power of attorney to verify financial statement
9. Requires resources beyond indebtedness of at least $20,000
10. May require interim financial statements

Private nondegree

F. Bonding

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO
1.	X	*	X	X		X		X	X		X	X		X	X	X	**	X	X	X		X	X	X	X	
2.	X				X	X			X				X	*	X		X	X	X			X	X	X	X	
3.	10k		10k						10k		10k								10k	1k				10k	10k	
4.								25k				50k				50k	20k	20k				25k				
5.		X		X		X																	X			
6.						X		X				X				X		X								
7.									X		X			X			X	X	X					X	X	
8.	2½k				1k			2½k									2k		1k			1k	1k	2k	1k	
9.						5k							10k		5k			5k								
10.				X															X						X	
11	X								X				X						X				X	X		
12.															X											

	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X	X	X	X	*	X	*	X		X	X	X	X	X	X	X	*	X			X			X	X
2.	X	X	X				X		X	X		X			X	X	X	X					X	X	
3.	10k	10k	5k	5k		5k		1k		10k		2½k	10k		10k	10k									10k
4.																		25k						25k	
5.						§					X			X							X				
6.													X		X			X						X	
7.				X						X	X					X		X							
8.	1k						1k		1k	1k		1k			1k	1k		1k					1k	1k	
9.		5k	5k														10k			5k					
10.										X	X			X											
11	X	X					X			X						X	†			X			X	X	
12.																									X

1. Requires institutional bond
2. Requires agents to be bonded
3. Standard institutional bond amount, $10,000 or less
4. Standard institutional bond amount, more than $10,000
5. Variable bond amounts based on prepaid tuition or number of enrolled students
6. Bond amounts may be reduced
7. Securities other than bonds are permitted
8. Agent's bond less than $5,000
9. Agent's bond $5,000 or more
10. Institutional bond covers agents
11. Blanket bond covering all agents may be supplied by institution
12. Prohibits continuous bonds

* bonds may be required

** bonds are required for the approval period before certificates will be issued

§ bond amounts may be increased

† blanket bonds cover agents for $5,000 only

Private nondegree

G. Qualifications of potential students and orientation of entering students

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.			X		X																																														
2.				X										X																			X	X			X		X				X								
3.				X																																	X														
4.				X										X																		X		X		X			X												
5.						X								X				X									X		X			X				X		X												X	X
6.						X					X																																							X	
7.							X			X	X			X							X			X																											
8.										X																																									
9.										X	X													X								X				X														X	
10.											X																					X	X			X	X			X			X	X							
11											X																																								
12.														X																		X				X	X						X								
13.														X																											X										
14.																							X																												
15.																															X																				
16.																																X				X			X												
17.																																					X														
18.																																																		X	

1. High school diploma not required
2. High school graduation or equivalent required
3. Requires demonstration on pre-enrollment tests of ability to complete training satisfactorily
4. Prohibits high school students from attending unless conditions are met
5. Prohibits discrimination
6. Prohibits enrolling students unlikely to complete
7. Entrance requirements shall be such that students may expect to complete
8. Requires insuring students understand the nature and results of training and their obligations
9. Requires school to be prepared to defend enrolling students who do not meet requirements
10. Requires entrance requirements to be adopted
11. Requires special developmental program for unqualified students
12. Requires that schools accept only students who meet enrollment requirements
13. Requires that students be informed of entrance requirements and/or employment requirements
14. Requires students to have qualifications required by occupational field in which they are training
15. Prohibits retaining students who cannot master the subject or benefit from it
16. Requires schools to determine that students possess no handicaps that would prevent job performance
17. Requires records of compliance with admission requirements
18. Requires schools to disclose improbability of completion or employment

Private nondegree

N. Public disclosure (means)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X	X	X	X	X	X	X			X		X		X		X	X		X					X			X	X	X	X	X			X		X	X	X	X	X	X	X	X							X	X
2.	X	X		X			X			X	X	X		X							X	X	X	X			X	X	X	X	X	X		X		X	X	X	X		X	X	X	X						X	
3.	X													X																				X			X		X												
4.	X	X	X			X				X	X			X	X			X	X				X	X			X		X			X		X		X		X		X		X		X				X		X	X
5.	X		X	X	X		X	X	X		X	X		X							X	X	X	X			X		X	X	X	X	X			X	X	X	X		X	X	X	X			X		X	X	X
6.		X				X						X									X		X										X									X									
7.				X	X	X	X		X		X			X	X		X				X								X					X							X									X	
8.				X			X			X	X	X		X	X	X		X	X		X	X					X		X	X				X			X		X	X		X									
9.				X																											X			X			X						X								
10.						X				X				X										X							X	X	X									X									
11						X																																													
12.						X	X			X											X			X					X		X	X	X			X	X				X						X				
13.										X				X							X										X					X								X			X				
14.																																		X																	
15.														X									X	X			X		X	X	X							X		X		X	X							X	
16.	X			X		X				X	X	X		X	X				X			X		X	X		X		X					X	X	X	X		X	X	X	X	X				X			X	X
17.																							X																												
18.																																				X															
19.																																					X		X				X								
20.																																																		X	

1. Requires copies of the catalog or bulletin to be submitted
2. Requires certain information to be included in catalog or bulletin
3. Catalog copy submitted must be certified as true and correct
4. Requires information to be given to or explained to students prior to enrollment
5. Requires certain information to be included in enrollment agreements or contracts
6. Requires institution to publish a catalog or brochure
7. Requires information to be submitted or explained to students upon enrollment
8. Requires specific types of information to be published, posted, or made available
9. Course lists in catalogs must be up-to-date
10. Permits supplements to catalogs providing conditions are met
11. Requires that enrollment contracts be completed prior to instruction
12. Requires that the student receive a copy of the enrollment agreement or contract
13. Requires that schools use enrollment agreements or application forms
14. Requires certain information to be given to enrolled students
15. Requires schools to provide students or prospective students with catalog or bulletin
16. Enrollment contracts shall be submitted and/or approved
17. Catalog and enrollment contract shall agree
18. Requires certain correspondence to disclose fact of refund policy
19. Catalog references to certain items must be specific
20. Requires disclosures to students who are unlikely to complete training or find employment

Private nondegree

H. Public disclosure (content)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X			X		X						X											X	X				X	X	X	X			X			X		X			X	X							X	
2.	X			X		X				X		X		X									X					X	X		X			X			X														
3.	X	X	X	X	X	X	X			X	X	X		X			X	X			X	X	X	X			X		X	X	X	X	X	X		X	X	X	X	X	X	X	X	X				X		X	X
4.	X			X		X	X			X		X		X									X	X			X		X		X	X	X	X		X	X		X		X		X							X	X
5.	X			X	X	X				X	X	X		X			X						X	X					X	X	X	X		X		X	X	X	X	X	X		X	X						X	
6.	X			X		X				X		X		X									X	X					X	X	X			X			X		X		X	X	X							X	
7.	X									X				X													X		X		X		X	X		X	X		X		X		X					X			
8.	X	X	X	X	X	X	X		X	X	X	X		X	X	X	X	X	X		X	X	X	X			X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X				X	X	X	X
9.	X	X	X	X	X	X	X			X	X			X	X		X		X		X		X	X			X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X					X	X	
10.	X	X	X	X	X	X	X		X	X	X	X		X	X	X	X	X	X			X	X	X			X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X				X	X	X	X
11	X			X	X	X				X	X	X		X			X						X	X					X	X	X			X			X	X		X	X		X	X						X	
12.		X				X					X																X		X									X			X		X								X
13.			X	X							X	X		X															X				X								X	X							X	X	
14.				X		X				X	X	X		X										X					X	X				X							X	X	X								
15.					X																								X									X													
16.						X				X		X											X	X					X	X	X			X			X		X				X							X	
17.						X	X					X		X							X								X		X		X	X			X	X	X												
18.						X																																													
19.								X		X				X										X								X				X					X	X								X	
20.														X																											X										

Requires some kind of disclosure regarding:

1. governing body and/or owners
2. faculty and/or administration
3. courses, objectives, methods, or results of training
4. admission requirements
5. grading system, credits, or performance requirements
6. school calendar
7. diplomas, certificates, degrees, or completion requirements
8. tuition
9. other charges
10. cancellation and refund policy
11. policies related to attendance, withdrawal, discipline, or conduct
12. other
13. placement
14. facilities and equipment
15. procedures for complaints or questions
16. policies related to transfer credits
17. methods and/or terms of payment
18. items subject to cost change without notice
19. contract obligations
20. Federal and State consumer protection provisions

(continued)

Private nondegree

H. Public disclosure (content) *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.														X																																					
22.																													X																						
23.														X																																					
24.														X																	X					X				X											
25.														X	X																	X										X									
26.																						X																													
27.																							X																												
28.																																	X																		
29.																																	X																		
30.																																		X					X												
31.																																																		X	
32.																																																		X	

21. school philosophy
22. special funding provisions of outside agency, if applicable
23. collection methods
24. grants, scholarships, and financial aid
25. student services (e.g., counseling, student employment)
26. discounts for cash payment
27. if essential training equipment is located away from school grounds
28. conditions for work/study
29. that transcripts may be withheld for nonpayment of fees
30. detailed schedules (e.g., time, teacher, room number, etc. for each class and/or student)
31. further training necessary to secure employment
32. student improbability of completing training or securing employment

Private nondegree

I. Advertising or sales/recruiting practices (advertising)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X		X			X	X	X	X		X		X		X	X	X	X		X	X	X	X		X	X	X			X
2.	X		X							X	X				X								X				X				X	X	X			X					X									X	X
3.			X			X																																X			X										
4.	X			X	X	X	X		X		X	X	X	X	X							X	X	X	X		X		X		X		X			X	X	X	X		X	X		X			X	X	X	X	X
5.	X			X		X	X				X	X		X	X						X	X					X					X	X	X		X	X	X	X	X	X	X	X	X			X			X	X
6.	X		X		X	X	X			X	X	X		X	X						X	X	X	X					X		X	X		X		X	X	X	X	X	X	X	X	X			X			X	X
7.			X								X			X																								X				X									
8.			X	X							X			X	X																X											X	X	X							
9.	X		X	X	X	X	X	X	X	X		X	X	X	X	X					X	X	X		X		X	X	X		X	X	X	X		X	X	X	X	X	X	X	X	X			X			X	X
10.					X	X				X	X											X							X		X	X							X	X	X	X		X			X			X	
11.				X		X	X														X		X								X	X		X			X	X	X	X		X	X	X			X				
12.			X	X	X	X	X		X	X	X	X		X	X						X	X	X				X		X		X	X		X		X	X	X	X	X	X	X	X	X			X			X	
13.				X			X			X				X							X											X	X	X			X			X			X	X			X			X	
14.					X	X				X	X			X															X		X								X		X	X								X	
15.						X					X			X											X				X							X			X		X	X					X			X	
16.		X												X							X	X		X			X				X		X			X							X								
17.						X					X			X															X												X	X								X	
18.							X				X				X						X		X						X							X						X								X	
19.								X							X	X																X	X																		
20.				X						X		X			X						X	X	X		X			X	X		X	X				X	X		X			X	X				X			X	

1. Prohibits false, inaccurate, deceptive, misleading, etc. statements or practices in general
2. Requires factual advertising or ethical practices
3. Gives examples of misrepresentations
4. Prohibits implying that issuance of a certificate or permit constitutes approval, or gives approved language for advertising certification
5. Prohibits or restricts endorsements and testimonials
6. Requires schools to advertise as schools or requires school name and data to be included or prohibits concealing that training is offered, or places restrictions on name of school
7. Prohibits or restricts use of terms "free" and/or "guarantee"
8. Limits use of scholarships or financial premiums in recruiting
9. Restricts advertising regarding employment, job opportunities, placement, salaries, or complete training within a time period
10. Limits or restricts advertising regarding accreditation
11. Restricts statements about other schools or prohibits attempting to change students' plans to attend another school
12. Prohibits soliciting students by "blind" or "help wanted" ads
13. Prohibits use of misleading photos or illustrations
14. Restricts advertising regarding results of training (e.g., union membership, licensing, passing professional exams, receipt of degree)
15. Prohibits misrepresenting transferrability of credit
16. Restricts use of terms like "college" or "university"
17. Prohibits false representations regarding enrollment limitations
18. Restricts advertising relating to faculty
19. Advertising shall conform to specific standards other than agency standards
20. Restricts advertising relating to courses and services

Private nondegree

I. Advertising or sales/recruiting practices (advertising) *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS
21.											X						
22.											X						
23.						X											
24.											X				X		
25.											X			X			
26.											X						
27.												X					
28.														X			
29.														X			
30.																	
31.																	
32.																	
33.																	
34.																	
35.																	
36.																	
37.																	

	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC
21.																	
22.																X	
23.																	
24.						X						X					
25.																	
26.					X							X		X		X	
27.														X	X		
28.																	
29.												X					
30.					X							X		X			
31.												X		X			
32.																X	
33.																X	
34.																	
35.																	
36.																	
37.																	

	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.							X										
22.						X	X	X		X							
23.							X									X	
24.					X			X								X	
25.								X								X	
26.					X				X							X	
27.							X	X					X				
28.																	
29.								X								X	
30.								X								X	
31.					X											X	
32.							X			X						X	
33.																	
34.					X												
35.					X												
36.						X				X							
37.							X			X						X	

21. Restricts references to Federal student financial aid programs
22. Requires the school to be prepared to verify advertising
23. Prohibits representations that lack of a high school diploma or certain education or experience is not a handicap to employment or further training
24. Prohibits misrepresentations regarding facilities and equipment
25. Prohibits misrepresentations regarding talent hunts or contests
26. Prohibits deceptions regarding costs
27. School official is responsible for all advertising
28. Requires identification of relationship to school of any person identified in advertising
29. Requires advertising to indicate whether residence, correspondence, or both types of instructionare being offered
30. Prohibits implying connection with state or other governments
31. Prohibits misrepresentations regarding profit status, reputation, size, location, or affiliations
32. Prohibits misrepresenting requirements for success or enrollment
33. Prohibits advertising products and services in connection with the school
34. Restricts use of term "engineer"
35. Prohibits use of the superlative
36. Prohibits soliciting students through employment agencies
37. Restricts references to approval by other state or Federal agencies

Private nondegree

I. Advertising or sales/recruiting practices (agents)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.		X	X	X	X	X	X	X						X				X				X			X		X	X			X					X	X	X	X		X	X	X	X			X	X	X		
2.			X			X				X	X			X										X							X	X	X			X			X								X			X	
3.			X			X															X											X				X															
4.			X																																				X												
5.						X																																X	X									X			
6.												X		X	X						X							X			X	X				X			X								X				
7.						X																									X					X															
8.						X																																X													
9.										X																																									
10.											X																																								
11												X									X										X	X				X			X								X				
12.														X													X										X				X		X				X				
13.																															X								X												
14.																																X																			

1. Requires agents to be of good character
2. Restricts terms applied to sales representatives
3. Requires care in selecting and training sales representatives
4. Requires sales representatives to be under contract
5. Agents may not have engaged in deceptive practices, been convicted, or had permits revoked
6. Requires training and/or supervision of agents
7. Requires agents to be informed about the school and its offerings
8. Requires statements of authority and ethical standards to be furnished to agents
9. Requires affidavits of agents
10. Requires the school to issue cards to its agents
11. Requires school to be responsible for agents' activities
12. Requires character references
13. Agents must be at least 18 or 21 years old
14. Requires agents to comply with laws of other states in which they operate

H-14

Private nondegree

J. Student and personnel recordkeeping practices

θ Student contracts shall be maintained for 5 years.

φ Records of courses taken shall be kept for 7 years. Lists of graduates of courses at least 1 year in length shall be kept permanently.

λ A permanent file of summary records shall be maintained

ω Records of an institution discontinuing operation shall be held by the Department for 10 years.

2 2 years
3 3 years
5 5 years
6 6 years
7 7 years

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X	X		X	X	X					X	X					X	X			X	X					X		X		X	X		X		X	X	X	X		X		X	X			X				X
2.	X			X						X				X				X				X	X				X		X		X	X		X		X	X		X				X	X			X				X
3.	X	X		X	X		X		X		X			X			X				X		X				X	X	X		X		X	X		X	X	X	X	X	X		X	X			X			X	X
4.	X	X	X	X	X		X			X	X	X		X			X										X	X	X		X		X	X		X	X	X	X	X	X		X	X			X			X	X
5.	X			X		X			X					X	X								X				X		X		X		X	X			X										X				X
6.	X					X	X							X	X						X		X	X			X	X			X		X				X						X							X	X
7.	X			X	X	X						X		X	X													X					X	X			X						X	X							X
8.	X			X	X						X			X	X												X				X		X				X														X
9.		X				X				X		X			X												X	X	X		X					X		X					X	X							
10.			X											X	X																																				
11			5		3	6						φ			λ6								2				ω	λ5	λ5		λ5		λ7							3				3							
12.				X	X		X				X	X		X	X		X				X						X	X						X			X			X											
13.	X			X		X																					X		X		X																				X
14.				X										X																				X			X		X												
15.				X										X									X						X																					X	
16.					X	X								X							X		X					X					X																		
17.						X																																													
18.							X			X											X											X	X			X			X												
19.							X							X							X						X						X				X						X								
20.															X																																				

1. Requires adequate, current, or accurate records
2. Requires records to be available to student and/or agency
3. Records must show student attendance
4. Records must show student progress and/or grades
5. Records must show student tuition payments and/or refunds
6. Records must show student termination, completion, placement, and/or reasons for withdrawal
7. Records must show personal data on students (e.g., name, age, address)
8. Records must show data on staff
9. Records must be secured if institution discontinues operation
10. Records must show entrance, aptitude, and/or achievement test scores
11. Records must be maintained for a specified period
12. Records must show students' previous education, training, or entrance credits
13. Records must include enrollment agreement or application form
14. Records must show compliance with admission requirements
15. Records must show placement efforts
16. Records must show educational credentials awarded
17. Records must show student grievances and resolution
18. Records are described as permanent
19. Records must show entrance or enrollment date
20. Records must be kept in a central repository

Private nondegree

J. Student and personnel recordkeeping practices *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO
21.														X	X								X			
22.														X												
23.														X												
24.															X											
25.														X	X											
26.																						X				
27.																										
28.																										
29.																										

	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.	X	X					X	X									X				X				
22.																									
23.										X															
24.	X																								
25.																									
26.													X												
27.			X																						
28.								X					X				X								
29.													X												

21. Records must show courses or programs taken
22. Records must show schedule of classes or required attendance
23. Students must be regularly informed of grades and progress
24. Records must show name of students' counselors or counseling notations
25. Records must show information on agents
26. Records must show students' experience and scholarship
27. Records must include all correspondence with the student
28. Includes specific standards regarding transcripts
29. Records must show student conduct

Private nondegree

K. Financial practices

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	[illegible]	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.		X									X																X		X			X											X								
2.			X									X		X	X						X	X										X	X									X									
3.			X						X			X		X			X															X							X				X								
4.				X								X									X	X												X			X		X				X								
5.						X			X																																										
6.							X							X							X										X	X				X	X		X	X				X						X	
7.								X																X								X	X		X			X						X						X	
8.												X									X																														
9.															X																	X				X															
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14.																															X	X																			
15.																																X																			
16.																																	X																		
17.																																							X												
18.																																												X							
19.																																															X				

1. Prohibits false, deceptive, misleading, or unfair collection or credit practices
2. Requires uniform prices to be charged for courses except in certain cases (e.g., group or cash discounts)
3. Places limits on advance payments
4. Requires tuition rates to be maintained as published
5. Requires compliance with consumer financing laws
6. Places restrictions on financial aid or scholarship programs
7. Prohibits certain actions related to sale of student loans or assignment of contracts
8. Limits length of school/student contracts
9. Requires that charges for training be reasonable, based on services rendered
10. Prohibits selling more than one lifetime contract to any one person
11. Limits period during which contracts may be extended
12. Requires tuition charges to be expressed on the basis of individual courses
13. Prohibits school from requiring students to purchase items from it
14. Restricts changes in tuition or fees
15. Prohibits enrollment contracts from being binding until they have been accepted by the home office of the school
16. Requires collection methods to comply with standards
17. Requires student loans or scholarships to be placed in escrow under certain conditions
18. Requires course costs to be reduced if credit is given for previous education or training
19. Prohibits enrollment agreements from being binding on students

Private nondegree

L. Refund policies and practices

ψ For courses less than 4 months in length

ε Not applicable if the school discontinues operation

ω If they equal or better the state's policy

ν Refunds whose denial was found to be unjustified shall be paid within 10 days

ρ Refunds must be made within 15 days after classes begin or within 30 days after withdrawal notice is received if the student does not enter classes

σ Refunds for the types of items listed shall be made in a "reasonable," "acceptable" manner

ζ If no appropriate accreditation agency exists, approximately pro rata refunds shall be made

▽ Registration fee and extra expenses for supplies, tools, etc. are not required to be refunded under these conditions

† May be required

10 - 20 - 30 - 31 10, 20, 30, 31 days (respectively)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL
1.	X			X	X	X			X		X	X	X	X
2.	X			X	X	X		X	X		X	X	X	X
3.	30					30				30				30
4.	X											X		
5.		X									X			
6.				X						X				
7.				X										
8.					X	X		X	X		X		X	X
9.				X										
10.					X			X						
11	X			ψ					X			X		X
12.				X										
13.					X	X							X	X
14.									X		X			
15.												X		
16.				X	X	X			X		X		X	X
17.					X									
18.					X	ε						X		X
19.					X									
20.						X								X

	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE
1.	X							X		X				X
2.	X		X					X	X	X				X
3.	31									30				
4.	X									X				
5.													X	X
6.	ω								X					
7.														
8.	X									X				
9.														
10.									X	X				
11	X							X		X				X
12.														X
13.										X				X
14.														
15.														
16.										X				X
17.										X				
18.														
19.														
20.	X									X				

	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD
1.	X		X	X	X		X		X	X	X	X	X	X
2.	X		X	X	X		X		X	X	X	X	X	X
3.	ν				30				ρ	30	30	30	30	20
4.			X		X				X			σ		
5.	X			X										
6.					ω			ω				X	X	
7.			X						X	X			X	
8.		X		X	X		X			X		X	X	X
9.														X
10.		X			X		X	X	X					X
11			X	X						X		X		X
12.	X		X	X										
13.	X						X		X	X	X	X		X
14.			X		X				X	X	X		X	
15.												X		
16.	X		X	X	X		X		X	X	X		X	
17.														
18.	X													
19.	X													
20.				X						X		X		

	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.		X			X		X	X	X
2.		X			X		X	X	X
3.		30			30		30	10	30
4.		σ							X
5.	X								
6.	X								
7.									
8.		X					X	X	X
9.								X	
10.					†			X	
11	ζ							X	X
12.									
13.		X			X			X	X
14.		X					X	X	
15.		X							
16.		X			X		X	X	
17.									
18.		X							
19.									
20.					▽				

1. Based on some formula, refunds are calculated with regard for training received or time attended
2. A nonrefundable registration fee or deposit is permitted
3. Refunds are due within a specified time period
4. Where separate charges are made for books, supplies, lab fees, etc., only charges for items used may be retained
5. Cancellation and refund policy shall be "fair and equitable" or "reasonable and proper"
6. Refund policies of accreditation agencies are acceptable
7. Refund policy varies depending upon length of course or program
8. A "cooling-off" period in which the contract may be cancelled with no obligation is provided
9. A specific definition for "entered training" or "executed contract" is given
10. Withdrawal notices or requests for refunds must be in writing
11. Refunds are described as pro rata with limitations
12. Training received is calculated in months
13. Training received is calculated in percent of course or program
14. Training received is calculated in weeks
15. Training received is calculated in clock hours
16. After a specified period of training, no refunds are required
17. Fees collected in error shall be repaid in full
18. Schools owe a full refund if a class is discontinued or does not start on time
19. Veterans may receive all refunds due them
20. A full refund is owed if the student is not accepted

L. Refund policies and practices *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.						X																		X														X		X	X	X		X			X				
22.						X																																													
23.							X														X																														
24.							X																																									X			
25.								X																																											
26.								X																																											
27.					X						X		X		X								X														X	X	X												X
28.														X																																					
29.														X										X												X						X									
30.																																																		X	
31.																		X	X																		X											X			
32.																								X																		X								X	
33.																													X		X																X				
34.																															X																				
35.																																	X																		
36.															X																						X			X	X								X	X	
37.																																							X												
38.																																							X												
39.																																									X										
40.																																											X								

21. A method for determining termination date is specified
22. A method for calculating refunds in cases of individualized instruction is given
23. "Prompt" payment of "reasonable" refunds is required
24. 90-95% of prepaid tuition must be refunded if contract is cancelled within 30 days or immediately after the first class
25. Includes special provisions for refunds to nonimmigrant aliens
26. No refunds are required if the request is submitted after the end of the program
27. Special consideration is due the student in certain circumstances (e.g., death, illness, military service, etc.)
28. No refunds are due if students complete the course during the "cooling-off" period
29. Schools must mail notice of receipt of withdrawal request
30. A full refund is due of the student accepted was unqualified
31. School shall adhere to published refund policy
32. Schools cannot make refunds conditional upon compliance with school regulations or rules of conduct
33. Charges for additional items (e.g., tools, activity fees, etc.) need not be subject to refunds if conditions are met
34. Includes special provisions for refunds to part-time students
35. Installment agreements must comply with another law
36. For programs more than 12 months long, cost of training for second year shall be refunded if withdrawal occurs during the first year
37. Expelled students forfeit claims to refunds
38. A charge to students who withdraw before attending classes beyond the nonrefundable registration fee is permitted
39. Refund policies required by other states are acceptable
40. Schools shall comply and keep up-to-date with Federal or state laws and regulations regarding refund policies

Private nondegree

M. Placement

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.			X																																															X	
2.			X	X										X															X																					X	
3.			X																																																
4.			X																																															X	
5.							X			X											X											X																			
6.										X																										X															
7.										X																						X																			
8.										X														*				X				X										*								X	
9.																					X																														
10.																								X																		X									
11																									X																										
12.																												X																							
13.																																X				X															

1. Requires that student referrals result from direct contact between placement service and employers
2. Requires that evidence of referrals or placement efforts be maintained or filed if placement service is offered
3. Requires that instruction in preparation for interview be offered
4. Prohibits lists of employers given to students from being considered a placement service
5. Requires that placement activities be free to students or graduates
6. Requires school to have an acceptable record of employment or satisfaction of students or graduates
7. Requires that an adequate placement service be provided
8. Requires records of initial employment of graduates to be maintained
9. Prohibits school from taking credit for placements made through licensed employment agencies
10. Requires that a majority of graduates seeking employment secure positions in their field
11. Requires schools to provide a "full description" of the follow-up and employment of students
12. Requires a one-year follow-up of graduates
13. Requires schools to show or earn acceptance of their graduates by major employers

* *if placement service is offered*

APPENDIX I

DETAILED STATE-BY-STATE ANALYSIS OF STATUTES AND REGULATIONS GOVERNING TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS

Private degree

A. Institutional purpose, governance, operation, and organization

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.							X	X		X	X										X		X								X		X					X	X	X			X			X	X				
2.							X	X		X	X			X			X				X										X						X	X	X	X			X				X				
3.							X				X																						X				X		X	X			X			X	X				

1. Includes provisions regarding institutional organization and governance

2. Includes provisions regarding institutional purpose and character

3. Includes provisions regarding institutional operation

Private degree

B. Course length, content, goals, or objectives

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.				X			X	X	X	X				X							X								X		X						X		X	X				X			X				
2.				X																																															
3.					X		X	X																					X		X		X							X				X							
4.							X		X	X											X																										X				
5.							X																										X																		
6.							X																																												
7.							X	X	X	X								X													X									X				X			X				
8.							X																																												
9.								X			X										X																		X							X	X				
10.								X													X																										X				
11														X																									X	X											
12.																		X																																	
13.							X														X																			X							X				
14.																													X																						
15.																													X																						
16.																																	X	X				X					X	X			X				
17.																																	X																		
18.																																							X												
19.																																														X					
20.																																														X					

I-2

1. Requires courses to be appropriate to institutional goals, plans, or status
2. Requires benefits to students of education to be documented
3. Requires course objectives to be stated
4. Requires continuity or sequence in curriculum
5. Requires courses to be systematically planned
6. Requires varied types of learning materials and procedures
7. Requires evaluation and/or improvement of courses or instruction
8. Requires stability in educational program
9. Requires breadth of curriculum to be appropriate
10. Sets requirements for general or liberal education course block
11. Requires all courses to be adequate, suitable, and proper to deliver intended benefits
12. Requires credit for courses to be generally transferable
13. Requires adaptation to meet individual students' needs
14. Requires instruction in Constitutions
15. Requires instruciton stipulated in contract to be provided
16. Requires course components to implement course purposes or objectives
17. Sets credit requirements for full-time study
18. Sets requirements for length of academic year
19. Requires education to be consistent with degree
20. Requires academic programs to be of such quality as to stimulate excellence in students' endeavors

(continued)

Private degree

B. Course length, content, goals, or objectives *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.																																															X				
22.																																															X				
23.																																															X				
24.																																															X				
25																																															X				

21. Requires definition of "major"
22. Requires electives
23. Requires rationale for core and specialized courses
24. Requires courses to be organized so students know aims, requirements, and evaluation methods for each course
25. Requires teacher education programs to meet requirements for certification

Private degree

C. Degree, diploma, credential, or graduation requirements

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.					X																X																			X											
2.							X		X																															X											
3.							X	X													X																			X											
4.											X																																								
5.								X													X																														
6.								X													X																														
7.									X																																										
8.									X																																										
9.												X																											X					X							
10.																		X													X		X																		
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14.																							X																												
15.																													X					X									X	X							
16.																																	X																		
17.																																	X			X			X												
18.																																						X													
19.																																											X				X				

1. Sets limits on granting of degrees based on transfer credit
2. Requires degree requirements to be consistent with current standards in similar institutions
3. Requires 120 semester hours credit for bachelor's degree
4. Requires all baccalaureate degrees to be equal in graduation requirements
5. Requires degree requirements to be clearly stated and/or adhered to
6. Requires maintenance of certain grade or GPA for baccalaureate degree
7. Requires disclosure if half or more degree credits were earned by correspondence or extramural study
8. Restricts degrees which may be awarded for correspondence study
9. Restricts honorary degrees
10. Requires earned degrees to be bona fide
11. Requires general education courses for BA
12. Sets special degree requirements for nontraditional courses
13. Requires program leading to degrees to be adequate
14. Prohibits degrees from guaranteeing employment
15. Requires appropriate credentials to be awarded
16. Requires degrees to be approved
17. Requires specified period of study to earn degrees
18. Requires students' proficiency to be evaluated before granting degrees
19. Requires degree requirements to reflect relation of educational program and purposes

Private degree

D. Staff

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME
1.				X	X			X			X									
2.				X	X															
3.																				
4.					X															
5.					X															
6.							X	X												
7.							X											X		
8.							X	X		X	X							X		
9.							X		X		X									
10.							X		X	X	X							X		
11								X												
12.								X	X	X				X				X		
13.																				
14.								X												
15.								X												
16.								X	X	X								X		
17.									X	X	X							X		
18.																				
19.																				

	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.	X								X				X			X				X							X				
2.									X				X			X											X				
3.									X					X									X								
4.																															
5.									X																						
6.																															
7.																				X											
8.	X												X			X			X	X							X				
9.	X								X		X		X						X					X		X					
10.											X		X														X				
11																											X				
12.	X		X						X		X		X	X				X		X			X	X		X	X				
13.																							X								
14.													X														X				
15.																															
16.	X								X											X						X	X				
17.	X		X						X		X			X					X				X	X		X					
18.									X																		X				
19.																											X				

*1. Requires specific educational qualifications
*2. Requires occupational qualifications
3. Requires school personnel to be of good reputation and character
*4. Requires teaching credential
5. Prohibits instructors with record of moral turpitude
6. Sets requirements for chief financial officer
7. Requires instructor qualifications to be consistent with those prevailing at other accredited institutions
8. Restricts teachers' workloads
9. Sets requirements for number of full-time faculty or limits number of part-time faculty
10. Sets requirements regarding librarians

*Requirements may be substituted one for another. Each one may not apply in each case.

11. Sets requirements for student personnel program and admissions office
12. Requires adequate or appropriate preparation or qualifications of faculty
13. Requires personnel policies to be consistent with institutional purposes
14. Requires orientation and/or evaluation of faculty
15. Requires advisors to be informed
16. Sets requirements for administrators and/or governors of institution
17. Requires reasonable or adequate number of faculty
18. Requires special qualifications of instructors on Constitutions
19. Requires faculty experience to be balanced

Private degree

E. Facilities

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.				X	X		X	X	X	X				X				X			X		X						X	X	X		X	X				X	X	X			X	X		X	X				
2.				X			X	X	X	X	X			X				X													X							X		X			X			X	X				
3.					X		X		X	X	X							X											X		X			X									X	X		X	X				
4.							X														X										X		X							X							X				
5.							X																										X				X	X		X							X				
6.							X	X	X									X													X		X				X	X	X	X							X				
7.							X																																												
8.								X																					X																						
9.								X	X									X																												X	X				
10.								X																																			X			X	X				
11								X			X																									X											X				
12.								X	X									X																									X				X				
13.																		X																						X											
14.									X									X																																	
15.																		X													X		X						X							X					
16.										X								X																												X	X				
17.																															X																				
18.																																				X			X												

1. Requires facilities and/or materials and equipment to be adequate and/or appropriate
2. Requires library resources or facilities to be adequate and/or appropriate
3. Requires facilities to meet legal requirements re: safety and health
4. Requires facilities to be appropriate and/or sufficient to purposes or objectives
5. Lists factors to be considered in determining adequacy of facilities
6. Lists factors to be considered in determining adequacy of library
7. Requires facilities to be available at appropriate hours
8. Requires plans for beginning or expanding institutions
9. Sets standards for seating capacity of library
10. Sets standards for quality of library collections
11. Sets standards for quantity of library collection
12. Requires library materials to be accessible or convenient
13. Prohibits enrollment from exceeding facilities
14. Requires program for continuous requisition and recording of library materials
15. Sets standards for library budget
16. Sets standards for "climate" of library
17. Requires insurance
18. Sets minimum space allocation for classrooms and lecture halls

Private degree

F. Financial stability

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.				X	X		X	X	X	X				X							X								X		X		X	X					X	X			X	X		X	X				
2.				X			X	X	X	X	X										X										X												X				X				
3.				X																																															
4.							X																																												
5.							X	X			X																					X								X	X											
6.								X													X																		X												
7.									X																																										
8.										X											X																		X	X			X				X				
9.										X	X																																				X				
10.											X																																				X				
11											X																																				X				
12.																					X																			X							X				
13.																					X																			X											
14.																							X										X																		
15.																							X																												
16.																															X								X								X				
17.																																				X															
18.																																													X						
19.																																															X				

1. Requires institutions to be financially stable or to have adequate resources
2. Requires financial statements and/or audits
3. Requires schools to document ability to sustain proposed offerings
4. Requires good financial reputation
5. Sets standards for financial records or statements
6. Requires new institutions to have reserve funds
7. Requires for-profit institutions to establish that they do not make unreasonable profits
8. Lists factors to be considered in determining financial adequacy or stability
9. Requires an annual budget to be prepared
10. Requires institutions to have incomes from sources other than students
11. Sets minimum annual expenditure per student for certain items
12. Requires income to be spent for certain purposes
13. Limits expenditures for recruitments
14. Sets financial requirements for use of terms "college" and "university" for degree-granting authority
15. Requires 50% of a school's capital to be paid in or reduced to possession
16. Requires plan or program for financial development
17. Requires new institutions to arrange for specified current operating support
18. Requires financial policies and officers to be stated
19. Sets standards for accounting and control procedures

Private degree

F. Bonding

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS
1.								*										X						*	
2.																		X							
3.																		X							
4.																									

	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.				5k														10k								
2.				5k														**								
3.																										
4.				X																						

1. Requires an institutional bond
2. Requires agents to be covered by a bond
3. Bond amounts are based on maximum enrollment (5,000-30,000)
4. Bond amounts may be increased

* May be required

** Blanket bonds may be for $5,000. Bonds accompanying permit applications are in the penal sum of $10,000

Private degree

G. Qualifications of potential students and orientation of entering students

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.								X						X																	X								X				X				X				
2.				X					X	X																													X							X					
3.							X											X													X							X		X							X				
4.							X	X	X	X	X							X			X																	X	X	X						X	X				
5.								X													X																														
6.								X																																											
7.								X																																											
8.											X																																								
9.											X																																				X				
10.											X																																								
11																		X																																	
12.														X															X					X																	
13.																																	X																		
14.																																						X													
15.																																							X												
16.																																								X											
17.																																											*				X				

1. Requires reasonable or appropriate entrance requirements or admissions policies
2. Requires admission standards to assure students will be able to complete program
3. Limits enrollments to students with appropriate interests and abilities
4. Requires high school graduation or equivalent for entrance
5. Requires institution to follow policy or admit only students meeting requirements
6. Requires information demonstrating potential of "risk" students
7. Requires follow-up of "risk" students
8. Requires the same admission requirements for each baccalaureate degree
9. Permits admission of "risk" students under certain conditions
10. Requires admission policies to include basis for selecting students
11. Requires counseling at admission
12. Prohibits discrimination in admission based on race, sex, creed, etc.
13. Requires admission requirements to consider capacities of student and institution
14. Requires student retention practices to be consistent with institutional objectives
15. Requires students to have a demonstrated readiness for college instruction
16. Requires high school program to have been appropriate
17. Requires orientation and counseling programs

*May be required

Private degree

H. Public disclosure (means)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS
1.					X												
2.							X										
3.								X	X	X							
4.										X							
5.										X							
6.										X							
7.																	
8.																	
9.																	
10.																	
11																	
12.																	
13.																	

	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC
1.	X											X					
2.																	
3.	X			X								X		X			X
4.																	
5.																	
6.																X	
7.												X					
8.				X													
9.																	X
10.												X					
11												X					
12.																	
13.																	

	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.																	
2.																	
3.			X		X	X			X	X			X				
4.													X				
5.																	
6.			X										X				
7.									X	X							
8.				X									X				
9.									X								
10.																	
11																	
12.												X					
13.													X				

1. Includes requirements for enrollment contracts
2. Requires public disclosure of certain information
3. Includes requirements for catalogs
4. Requires certain disclosures to be in writing
5. Requires certain information to be "communicated"
6. Requires certain information to be published
7. Requires information to be furnished prior to enrollment
8. Requires certain information to be available or made known
9. Requires catalog to be provided to students
10. Requires disclosures in advertising or promotional materials
11. Requires certain information to be posted
12. Requires certain information to be clearly stated
13. Requires students to be officially informed of certain information

Private degree

H. Public disclosure (content)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO
1.					X		X	X	X	X								X								
2.				X			X																			
3.							X	X		X								X			X					
4.							X																			
5.				X			X	X	X	X											X					
6.				X			X	X	X	X								X			X					
7.				X			X	X	X	X								X			X					
8.							X																			
9.							X	X	X	X								X			X					
10.							X	X	X												X					
11							X	X	X	X								X			X					
12.							X																			
13.							X	X										X			X					
14.							X	X	X	X								X			X					
15.							X	X		X											X					
16.							X																			
17.							X	X										X			X					
18.							X																			
19.				X					X																	
20.								X		X																

	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.			X					X									X	X							
2.																									
3.			X																	X	X				
4.																									
5.			X				X	X					X				X	X		X					
6.			X					X									X	X		X					
7.			X					X									X	X		X					
8.																									
9.											X							X		X	X				
10.			X																	X	X				
11			X																	X	X				
12.																					X				
13.			X																						
14.							X							X						X	X				
15.			X				X							X						X					
16.																									
17.																									
18.																									
19.			X					X									X	X							
20.																				X					

Requires disclosure related to:

1. cancellation and refund policy
2. ownership, control, type of legal organization
3. names and/or duties of administrators, officers, owners or board members
4. financial interest in institution of members of board and Chief Administrative Officer
5. courses, curriculum
6. tuition } costs
7. other charges } costs
8. location of student records
9. purposes, objectives and history of institution
10. facilities
11. faculty and policies
12. student organizations and activities
13. calendar
14. admission requirements
15. graduation requirements
16. student services
17. financial assistance
18. housing and/or dining facilities
19. other unspecified information
20. accredited or approved status

(continued)

Private degree

H. Public disclosure (content) *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.								X	X	X								X											X				X													X					
22.								X										X																																	
23.									X																																										
24.										X																							X																		
25.										X																																									
26.							X											X											X				X																		
27.																		X											X																						
28.																		X											X								X										X				
29.																		X																																	
30.																		X																																	
31.																					X																														
32.																													X																						
33.																													X																						
34.																													X																						
35.																													X																		X				
36.																																	X																		
37.																																						X													
38.																																											X								
39.																																											X								
40.																																														X					

Requires disclosure related to:

21. degrees and/or degree requirements
22. period of instruction
23. further information available from state agency
24. official policies and procedures
25. failure of course to qualify student to take licensing exam
26. credits or grades and standards of progress
27. attendance
28. conduct, probation, dismissal, or due process
29. enrollment agreement
30. transcript procedures
31. times courses will not be offered
32. fact that the institution is a school
33. placement service
34. place to file complaints or grievances
35. transfer credit policy and/or standing
36. residence requirements
37. standards of competence for each program
38. plans for securing follow-up data on former students
39. student records available to employers and receiving institutions
40. policies on stock ownership, dividend and voting rights for profit-making institutions

Private degree

I. Advertising or sales/recruiting practices (advertising)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.				X			X			X								X													X									X											
2.					X									X				X						X					X							X								X							
3.						X																																													
4.									X																				X		X																				
5.										X		X						X					X	X						X			X			X							X	X		X	X				
6.														X															X																						
7.														X																																					
8.																		X											X																						
9.																					X																														
10.																													X					X									X	X							
11																													X																						
12.																													X																						
13.																													X																						
14.																													X																						
15.																													X																						
16.																													X																						
17.																													X																						
18.																													X																						
19.																													X											X											
20.																													X																						

1. Requires information or advertising to be accurate, correct, factual, etc.
2. Limits advertising or state approval
3. Requires advertising to be in good taste
4. Prohibits or restricts implying connection with government
5. Restricts use of terms "college" or "university"
6. Restricts representations regarding professional licensure
7. Prohibits deceptive inducements or promises
8. Restricts use of terms relating to employment
9. Requires publicity materials to be separated from and consistent with catalog
10. Prohibits false, deceptive, misleading or unfair practices
11. Prohibits deceptive designations
12. Requires correspondence schools to present this information
13. Prohibits misrepresentations re: accreditation
14. Prohibits misrepresentations re: transfer credits
15. Prohibits misrepresentations re: facilities
16. Prohibits misrepresentations re: size, location, or reputation
17. Prohibits misrepresentations re: courses
18. Prohibits misrepresentations re: faculty
19. Prohibits false employment promises
20. Prohibits misrepresenting profit-seeking status

(continued)

Private degree

I. Advertising or sales/recruiting practices (advertising) *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.																													X																						
22.																													X																						
23.																													X																						
24.																													X																						
25.																													X																						
26.																													X		X																				

21. Prohibits misrepresenting affiliations
22. Prohibits misrepresenting enrollment limitations
23. Prohibits use of "help wanted" type ads
24. Prohibits misrepresentions re: price
25. Requires approval of certain advertising
26. Requires approval of name

Private degree

I. Advertising or sales/recruiting practices (agents)

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.										X																																	X	X							
2.																		X																																	
3.																																		X									X	*							
4.																													X					X									X	X							

1. Requires agents to swear to represent their schools honestly and accurately
2. Requires institution to be responsible for agents' actions
3. Requires agents to be of good reputation and character
4. Prohibits agents from engaging in false, deceptive, misleading or unfair practices

*Evidence of this may be required

Private degree

J. Student and personnel recordkeeping practices

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.					X													X											X		X		X	X									X	X			X				
2.					X																								X																						
3.							X	X			X							X																						X							X				
4.							X				X																													X							X				
5.							X				X																							X						X			X	X							
6.										X																			X	X	X		X										X	X							
7.										X																																									
8.											X																													X											
9.											X																													X											
10.														X				X											X											X											
11																		X																																	
12.																								*					3y																						
13.					X																								X		X			X									X	X							
14.																													X																						
15.																													X																						
16.																													X																						
17.																																					X										X				
18.																																								X											
19.																																												*							
20.																																												*							

1. Requires records of student progress or performance
2. Requires agreements or contracts to be part of school's permanent record
3. Requires records of students' background
4. Requires student records to contain college admission records and test results
5. Requires student records to contain college grades or credits
6. Requires records to be secured if school discontinues operation
7. Requires counseling records consistent with generally accepted forms to be maintained
8. Requires records of transfer credits to be maintained
9. Requires records of graduates to be maintained
10. Requires student records to be available
11. Requires records to be maintained after graduation for reference of employers
12. Requires records to be maintained for a specified period of time
13. Requires records of attendance or dates of attendance
14. Requires records of all payments and refunds
15. Requires records to contain all correspondence with student
16. Requires records of placement assistance
17. Requires records of use of the library
18. Requires provision for safe-keeping and security of records
19. Requires records of students enrolled
20. Requires records of degrees awarded

*May be required

(continued)

Private degree

J. Student and personnel recordkeeping practices *(continued)*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
21.											X																																				X				
22.																																															X				
23.																																															X				

21. Requires faculty records
22. Requires scholarship records
23. Requires health records

Private degree

K. Financial practices

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.					X																																														
2.							X																																												
3.							X																																												
4.							X	X																																							X				
5.							X																																												
6.								X																																											
7.								X																																											
8.														X																																					
9.																					X																														
10.																													X					X									X	X							
11																													X																						
12.																															X																				
13.																															X																				
14.																																					X														
15.																																					X														
16.																																											X								
17.																																															X				

1. Requires installment or deferred payment plans shall comply with State and Federal laws
2. Prohibits income of non-profit institution from being distributed to members
3. Requires institutions to state whether they will operate non-profit or proprietary
4. Requires sufficient budgetary support for specified institutional elements
5. Requires charges to be the same for all students
6. Requires budget to be prepared and supervised according to sound educational and financial practices
7. Requires business administration and accounting to adhere to specified standards
8. Requires that fees, terms, and conditions are reasonable
9. Requires financial programs of student activities supported by student fees to be properly audited
10. Prohibits unfair, false, deceptive, or misleading collection or credit practices
11. Requires plans to include methods of financing construction
12. Requires value of contributed services to be realistic
13. Requires budgets to provide priority allocation to support specific institutional purposes
14. Requires purchasing procedures to be clearly stated and controlled
15. Requires funds underwriting debt service to be safeguarded
16. Requires evidence of indebtedness to be marked "Student Loan"
17. Requires consistent policy re: financial aid and scholarships

Private degree

L. Refund policies and practices

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.					3d																																														
2.					X													X											X																						
3.					X													X											X																						
4.					X													X											X																						
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7.					X																								X																						
8.					X																																														
9.					X																								X																						
10.										X																																		X							
11.																													X					X									X	X							
12.																													X																						
13.																													X																						

1. Requires "cooling-off" period in which student may cancel and receive total refund
2. Permits nonrefundable registration fee
3. Requires refund of all monies paid less registration fee prior to start of classes
4. Requires other refunds based on formula which considers time attended
5. Requires fees collected in error to be repaid in full
6. Requires special consideration to students in special circumstances
7. Requires full refund if school discontinues class
8. Permits exceptions to refund policy to be granted
9. Permits veterans to receive all refunds to which they are entitled
10. Requires refund policies in keeping with generally accepted standards to be established
11. Requires fair and equitable refund policy
12. Includes special provisions for charges for materials or equipment
13. Requires contested refunds to be made within 10 days of investigation if so ordered

Private degree

M. Placement

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
1.				X																																															
2.																		X																													X				
3.																																							X												
4.																																															X				

1. Requires schools to document job opportunities resulting from education offered
2. Requires job placement assistance and counseling for students
3. Requires a professional placement service for graduates of colleges of a certain size and of universities
4. Requires a testing program to aid in placement and follow-up services to students

APPENDIX J

SAMPLE LANGUAGE FOR DETAILED PROVISIONS

PRIVATE NONDEGREE-GRANTING INSTITUTIONS

A. Institutional purpose, governance, operation, and organization

- 12 states require that a school's practices be ethical, not deceptive or fraudulent, legitimate, or in accord with the intent of the law.

  "The school shall be conducted on a level of educational, professional, and business ethics satisfactory to ...."

  "The school shall be conducted on a commendable level of educational, professional, and business ethics."

  "No person shall do any act constituting the conduct or administration of a course if he knows or should know that the course is being carried on by the use of fraud, deception, or other misrepresentation...."

  "The board must have reasonable assurance that a school will properly conduct its affairs in keeping with the intent of ...."

- 14 states limit a school's commercial activities.

  "Schools shall not engage in commercial activities for profit."

  "Minor fees for services or charges for products of students or instructors may be collected from the public when they facilitate adequate practice."

  "Schools shall be conducted exclusively as schools, not as part of a manufacturing or commercial establishment. Students shall not be employed commercially as part of class work except as the Superintendent determines is necessary to gain practical experience."

  "If production work is a necessary part of the educational program, unfair competition with private enterprise and exploitation of students shall be avoided."

B. Course length, content, goals, or objectives

- 10 states require courses, curriculum, or instruction to be consistent with vaguely defined standards.

  "The courses curriculum, and instruction are consistent in quality and content with recognized educational standards."

  "Courses, curriculua, and instruction must be consistent in quality, content, and length with similar courses with accepted standards."

  "The courses, curriculum, and instruction must be consistent in quality, content, and length with similar courses in public or other private schools with recognized accepted standards...."

  "Course content shall conform to State Department of Education standards."

- 28 states require adequate education and/or work experience qualifications.

  "The education or experience qualifications of directors, administrators, supervisors, and instructors reasonably insure education consistent with objectives."

  "Administrators, directors, owners, and instructors shall be qualified by reason of preparation and experience."

  "Education and experience of instructors and administrative staff must be adequate."

- 24 states have special requirements for a school's director.

  "Each school's director or administrator shall show evidence of adequate qualifications for competent business and/or school administration."

  "Each school shall be supervised by a full-time responsible administrative employee or officer. The director of a school for mechanical or special occupational training shall have completed high school and had 5 years of experience in the training area or completed college and had 3 years of experience. The director of a business school shall have a college degree and 3 years experience."

  "The school shall have a designated supervisor... and a designated assistant supervisor.... One or the other shall be present during all hours of instruction. The minimum qualifications for supervisors shall be: (1) graduation from a state-approved, 4-year college with a minimum of 24 semester hours in administration/management and/or professional education in the school's subject areas; or (2) training and experience in the school's subject area which shall include a minimum of: (a) 6,000 clock hours of training and work experience, and (b) 2,000 clock hours of supervisory or instructional experience. The minimum qualifications of an assistant supervisor shall be...."

- 8 states evaluate and/or approve individual faculty members.

  "Any person desiring to be on the faculty of a private business school shall submit a completed application for approval."

  "The Board must approve the school's personnel before issuing a permit or license."

- 8 states license or credential instructors.

  "All instructional staff shall possess a valid vocational credential...."

  "Instructors must possess instructors' licenses...."

"For schools of business...adequate qualifications for instructors shall be completion of a 4-year curriculum with specialized training in subjects to be taught in a recognized, accredited institution of higher learning, or 15 semester hours of business teacher education in such institutions, successful completion of a 2-year course in a well established business school, and related teaching or business experience...."

- 22 states require appropriate work experience of teachers.

  "The school's... instructors shall have adequate...work experience as wage earners in the subject area of their responsibility."

  "The instructor shall also have had recent work or teaching experience in the program area sufficient in nature and duration to assure successful performance."

  "Teachers...shall have at least 2 years of actual experience or teacher training in the skill or subject taught."

- 10 states require instructors to remain current or develop professionally.

  "Schools shall maintain a teaching and supervisory staff that keeps abreast of new developments. Each teacher and supervisor must show evidence of professional growth in each 5-year period in one of the following ways: (1) additional work experience in the field; (2) course work; or (3) attendance at seminars and meetings conducted for professional improvement."

  "Instructors shall...be able to demonstrate up-to-date knowledge and continuing study of their fields."

- 6 states require that school personnel have not been convicted.

  "Instructors or administrators are not considered qualified without evidence of rehabilitation if they have pled guilty, been found guilty, or entered a plea of no contest to any crime of moral turpitude."

  "The Board may suspend, revoke, or cancel a certificate of registration for any of the following causes: ...(3) signing of an application or the holding of a certificate by a person who is guilty of a felony or a crime of moral turpitude."

- 14 states include student/teacher ratio or class size requirements.

  "One full time instructor must be maintained for each course or each 30 students."

  "The student/teacher ratio shall be reasonable in terms of the suitability of the facility, adequacy of equipment, and the method of instruction."

  "The average student load for teachers shall not exceed 15 for shop or manipulative work or 30 in theory or business practice subjects."

- 21 states have specific educational requirements for instructors.

  "Teachers shall hold evidence of at least a high school education...."

  "Each teacher shall possess at least one of the following qualifications: ... (3) graduation from a state-approved, 4-year college or university with a minimum of 24 semester hours in the specific subject area to be taught; ....

- 15 states require courses, curriculum, or instruction to enhance the employability or skill of students.

  "The subjects, courses, and curriculum shall be designed to increase the skills, knowledge, occupational information, and understanding of students...."

  "Courses must provide instruction that qualifies students to perform job duties satisfactorily."

  "The length of the course shall be sufficient to give effective training... and not less than that essential for initial employment."

- 6 states require courses or materials to conform to occupational standards.

  "Courses shall extend over a sufficient period to meet current standards of trade and business practices."

  "The course shall conform to standards and training practices generally accepted by the occupational field."

- 18 states require instruction to be adequate to reach the objectives of the course.

  "The quality and content of a course or program of instruction are such as may reasonably and adequately achieve stated objectives."

  "The educational services are such as will adequately achieve their stated objectives."

C. Degrees, diploma, credential, or graduation requirements.

- 23 states require institutions to issue some kind of educational credential.

  "Each school shall issue a certificate to each student indicating the courses of instruction, including number of hours satisfactorily completed."

  "Upon completion of training the student is given a completion certificate."

D. Staff

- 31 states require adequate and/or sufficient personnel.

  "There is adequate instructor personnel to provide training of good quality."

  "The institution has access to...adequate personnel to achieve the stated objectives...."

- 26 states require school personnel to be of good moral character.

  "The school administrator, directors, owners, instructors, and other employees are of good moral character and reputation."

  "The principal owners, corporate directors, officers, administrators, instructors, and consultants are of good reputation and free from moral turpitude."

E. Facilities

- 31 states require adequate space, equipment, and/or instructional materials.

  "There is adequate space, equipment, and instructional material to provide training of good quality."

  "The institution has access to adequate space, equipment, instructional materials...to achieve the stated objective and to provide education of good quality."

  "Adequate equipment, training aids and materials needed to implement and maintain a training course must be on the premises."

- 37 states require compliance with laws or standards related to health or safety.

  "The institution complies with pertinent ordinances relating to safety and health."

  "The institution must comply with all regulations such as fire, building, and sanitation codes."

  "School buildings shall comply with all pertinent state and local laws and requirements regarding fire protection, hygiene, floor and air space, ventilation, heat and light."

- 11 states require student housing to be adequate and safe, or to conform to laws or ordinances.

  "Dormitories and eating facilities...are clean, healthful, safe, adequate for the number of students, and properly supervised."

"Schools shall certify on their applications that facilities and school-sponsored housing meet all applicable codes."

"Housing and facilities shall conform to standards specified by authorities."

- 12 states require equipment and materials to be suitable, appropriate or proper.

  "Equipment is suitable...."

  "The school shall maintain facilities...which are consistent with a proper educational environment."

- 5 states require equipment and/or texts to be up-to-date.

  "...equipment shall be...modern in nature...."

  "Equipment shall be maintained in good working order and updated as required."

- 8 states require training equipment to be similar to that used in occupational practice.

  "Equipment shall be similar to that found in common occupational practice."

  "Equipment shall be determined by the occupational objective and comparable to that found in actual occupations."

  "Equipment is...similar to that customarily used in work which would be preferred by a student."

- 4 states include standards relating to the school's library.

  "A library suitable to the needs of the students and faculty shall be provided and maintained."

  "Library facilities will be evaluated individually based on the type of school."

F. Financial stability

- 25 states require institutions to be financially sound or stable.

  "The institution is financially sound and capable of fulfilling its commitments to students."

  "The school shall be financially stable and capable of fulfilling its commitments for training."

- 23 states prohibit schools from exceeding enrollment or facilities limits or require an adequate quantity of materials or equipment.

  "The school...does not exceed its enrollment limit."

  "Equipment and facilities...shall be sufficient in quantity...to provide the training specified for the maximum student enrollment in each course."

  "Sufficient equipment shall be available to allow each student adequate scheduled time for practice."

- 26 states require adequate finances or resources.

  "The private school owner shall possess resources sufficient for the proper maintenance of satisfactory instruction and the discharge of all commitments and obligations to students."

  "The school must have sufficient finances to offer services on a continuing basis."

  "The school's financial resources must appear adequate to insure operation for the duration of the approval."

- 31 states require institutions to submit a financial statement.

  "Applications shall include: ...(10) a statement of sources and kinds of finances...."

  "Existing schools shall provide evidence of financial resources sufficient to meet operating demands for at least 1 year which shall be substantiated by: (1) a documented balance sheet and income statement for the last fiscal year; (2) the latest documented interim balance sheets and income statements certified as true and correct by the school's administration; and (3) if the school is owned by a corporation, it may present a corporate financial statement accompanied by a notarized resolution signed by an officer of the corporation declaring that the corporation will guarantee obligations of the school's operation in lieu of the first two items above."

- 11 states require that this statement be audited or prepared by a C.P.A. or independent accountant.

  "Applications shall include: ...(3) true evidence of financial stability, (a) a current certified financial statement prepared and signed by a licensed C.P.A., and...."

  "Applications for certificates shall...set forth: ...(6) financial resources available and income statement prepared and certified by an independent C.P.A. or other similar evidence."

- 4 states grant authority to require interim financial statements.

  "The Board may require interim financial statements on 30 days notice."

  "All applications for a certificate of approval shall contain a commitment to make available, upon request, all information on the institution's activities that are required for the administration of this Chapter, including its financial condition."

- 3 states require maintenance of financial records.

  "Adequate financial records showing the school's cash receipts, disbursements, assets, liabilities and capital shall be maintained, and their adequacy and correctness shall be certified annually to the secretary...by a C.P.A."

F. Bonding

- 8 states require bonds in amounts that vary according to the amount of prepaid tuition collected by the school or the number of students it enrolls.

  "Applications for authorization to operate and renewal may be required to include surety bonds in amounts determined by the Commission based on the number of students the institution seeks to enroll to ensure adequate protection from loss due to violation of this chapter."

  "The amount of the bond is determined by a formula in which the prepaid tuition and fees received in a fiscal year is divided by the numbers of semesters, quarters, months, or classes of training for which payments are received when students begin training."

  "Amount of surety shall be not less than the average tuition and fees charged in advance, times the average number of students expected to be enrolled during the period, but at least $1,000."

- 9 states grant authority to reduce bond amounts in special cases.

  "The Board may reduce bond requirements up to 25% when a school submits audited financial statements certified by a public accountant which show evidence that current assets exceed current liabilities by 100%."

  "The bond amount may be reduced according to a published schedule, depending on maximum advance collections schools possess at any one time."

G. Qualifications of potential students and orientation of entering students

- 8 states require that schools adopt entrance requirements.

  "Schools shall establish qualifications enrollees must have to assimilate training successfully...."

  "Entrance requirements for each course shall be submitted for approval."

- 10 states require that entrance requirements reflect students' ability to complete training.

  "Schools may admit only students who have demonstrated through pre-enrollment tests or counseling their capability to satisfactorily complete the course in the time allotted."

  "It is a deceptive trade or sales practice for a school to enroll a student when it is reasonably obvious that the student is unlikely to complete successfully a program or is unlikely to qualify for employment in the field, unless the fact is affirmatively disclosed."

  "Entrance requirements shall be such that each student may expect to complete the course for which he or she is enrolled."

- 5 states require that schools accept only those students who meet entrance requirements.

  "The school shall maintain verifiable evidence that each student meets the school's admission standards for his or her specific course...."

  "Schools shall establish qualifications...and determine with reasonable certainty that the applicant has proper qualifications."

- 6 states require that schools be prepared to defend accepting students who do not meet entrance requirements.

  "If a school enrolls a person not meeting normal qualifications, it shall have written records of reasons and be prepared to justify its action."

  "If a school knows that a prospective student is unlikely to successfully complete training or to obtain employment in the field taught, it must affirmatively disclose this fact to the prospective student. If the student still wishes to enroll, the school may obtain a disclaimer which shall be a statement separately signed by the student that he/she is fully aware of the improbability or impossibility of completing the course or obtaining employment."

- 3 states require schools to determine that students possess no handicaps that would prevent job performance.

  "Schools shall...determine that the applicant has proper qualifications, including no physical or other handicaps which could reasonably prevent successful job performance."

  "Schools are responsible for determining that applicants have no handicaps which could reasonably prevent them from using training for successful job performance."

H. Public disclosure (means)

- 28 states require that certain information be included in the catalog or bulletin.

"The institution provides a catalog or brochure containing information describing: (1) programs offered; (2) program objectives; (3) length of program; (4) schedule of tuition, fees, and all other charges necessary for completion; (5) cancellation and refund policies; (6) other material facts which are reasonably likely to affect enrollment decisions; and (7) other disclosures specified by regulation. This information is provided before enrollment."

"A permit application must be accompanied by copies of the current catalog or bulletin which have been certified as true and correct in content and policy by an authorized official of the school and which must include: (1) identifying data such as volume number, date, and publication; (2) name of the school and its governing body, officials, and faculty; (3) a clear and concise statement of the objectives of the training given; (4) the exact manner in which the stated objectives are to be attained; and (5) such other reasonable data as may be imposed."

"A copy of the catalog or brochure, approved by the Commission, must be given to each student prior to enrollment. Its contents are included as part of the enrollment agreement and must include at least the following items: (1) identifying data (e.g., volume number, date of publication); (2) name of the school and its governing body, officials, and faculty; (3) calendar of the school year showing legal holidays, beginning and ending date of each course, and other important dates; (4) policy on enrollment, including entrance requirements and enrollment deadlines; (5) policy relative to standards of progress, including grading system, minimum gardes considered satisfactory, conditions for interruption and the probationary period, and conditions of readmission; (6) policy relative to leave, absences, class cuts, make-up work, tardiness, and interruptions for unsatisfactory attendance; (7) policy relating to student conduct and conditions for dismissal; (8) detailed schedule of fees and charges; (9) refund policy; (10) description of the available space, facilities, and equipment; (11) detailed description of each course of study or program, including objectives, hours of scheduled time for completion, and credit earned; (12) policy relative to granting credit for previous education and training; and (13) certificate of completion or diploma.

"The school shall provide all prospective students with a printed or duplicated copy of its program catalog or bulletin prior to any signing of the enrollment agreement or contract. The catalog or bulletin shall contain the following school information: (1) the educational philosophy and itemized specific objectives of the school in complete, clear, and simply stated language; (2) month and year of publication; (3) names, addresses, and telephone numbers of the principal places of instruction and administrative offices; (4) names and titles of the administrative staff; (5) a description of each course, including specific objectives, content, length of course including clock hours (residence schools), and prerequisites, if any. Such description shall be consistent with the course of instruction approved by the Superintendent; (6) certificate and diploma requirements; (7) admission policy and regulations, including prerequisites for enrollment; (8) policy and regulations relative to standards of student progress; (9) schedule of tuition and costs, books, supplies, equipment, services, rentals, deposits, and housing costs; (10) minimum terms for payments, including the methods used to collect tuitions; (11) methods used for collecting delinquent payments, if any; (12) policy and regulations relative to refund of unused tuition, fees, and other charges; (13) an accurate description of the school's physical plant; (14) policy and regulations pertaining to absences, grading, and rules of conduct; (15) calendar, if any; (16) financial aid/grant and scholarship policy; and (17) student services, including placement service, guidance/counseling, and student employment, if any."

- 32 states require that certain information be included in enrollment agreements or contracts.

"The contract or application signed by the prospective student must include the following information in bold type: (1) title of course(s); (2) total classroom and shop hours; (3) payment schedule and total cost; (4) refund policy; (5) the school's disclaimer that "job placement" is not guaranteed upon completion; (6) a statement that the individual signing the contract or application has read and understands all aspects of the agreement. Prices on specific courses and subjects of study must be on the face of any contract to be signed by the prospective student."

"The following disclosures shall be included in all contracts and agreements used by the school: (1) name and address of school; (2) name and description of the course, including the number of hours of classroom instruction and home study lessons; (3) the total cost of the course including charges for tuition, room and board, books, materials, supplies, and other expenses; (4) a clear and conspicuous statement that the agreement is legally binding; (5) a clear and conspicuous caption, "Customer's Right to Cancel," under which it is explained that the student has the right to cancel the initial enrollment agreement until midnight of the sixth day after the student signs; (6) the form and means students should use to cancel the contract and the name and address of the person to whom the notice should be sent; and (7) a clear and conspicuous statement that every assignee of the contract takes it subject to all claims and defenses of the student or his successors."

"Each student of a non-degree granting institution must receive a signed, binding contract, approved as to content and format by the Commission, containing as a minimum: (1) name of school, address, and telephone number; (2) name of student, address, and telephone number; (3) title of course(s) contracted; (4) minimum number of classroom hours with beginning dates; (5) payment schedule and total cost of course(s), showing effective dates; (6) in bold type, the refund policy of the school; (7) applicable provisions as required by a fund or agency source outside the school (e.g., veterans training, federally insured student loans) if the student is contracted under a document of indebtedness relating to such funds; (8) in bold type, disclaimer that "job placement is not guaranteed or promised"; (9) statement in bold type, that the student has read and understands the document, has received the catalog of the school, and understands that the catalog is part of the contract; and (10) credit for previous training.

- 24 states require that information be given to or explained to prospective students prior to enrollment.

  "The school must insure that prospective students understand the nature of the training and results they can reasonably expect from it, and the nature of obligations and rights imposed by the contract."

  "Rules and regulations for conduct, a statement regarding conditions for dismissal, and a statement regarding conditions for re-entrance shall be published and furnished to prospective students prior to their signing a contract."

  "A copy of the course outline and a schedule of tuition is furnished to each student prior to enrollment."

- 14 states require that information be given to or explained to students upon enrollment.

  "A school shall furnish a copy of the course outline, tuition and fees, and regulations affecting students to them upon enrollment."

  "Each student shall be provided a copy of the school's tuition plan and refund policy at the time of enrollment."

  "Course outline, tuition and other charges, settlement policy, rules on operation, conduct and absence, and grading policy are furnished to students on entry to classes."

- 20 states require that specific types of information be published, posted or made available.

  "Admission requirements shall be published and administered as written."

  "The school shall furnish information on the cost of necessary books, supplies, etc. to be supplied by the student. It shall state clearly and completely the cost and extra fees which are in addition to tuition."

  "Policies pertaining to probation and attendance shall be published."

  "A copy of this rule shall be available at all times to staff, students, and interested citizens."

"Announcements of grants shall be made available to all applicants and current students."

"If no refunds are to be paid, this shall be stated."

"Advertising or promotional materials must disclose that the postsecondary institution is a school if this is not apparent from its name."

"Schools must post, in a conspicuous place, a statement developed by the Commission indicating where a student may file a complaint or grievance."

- 3 states require that catalog references to certain items be specific.

"Printed catalogs or information must be specific with respect to prerequisite training required for admission to the school courses, the curricula, the contents of the courses, and graduation requirements."

I. Advertising or sales/recruiting practices (advertising)

- 39 states prohibit false, inaccurate, deceptive, misleading, etc. statements or practices in general.

"No person shall make any statement or representation concerning the operation or courses of a school if such person knows or reasonably should know the statement to be false, inaccurate, or misleading."

"Neither the institution nor its agents shall engage in advertising, sales, ...or other practices which are false, deceptive, misleading or unfair."

- 14 states require factual advertising or ethical practices.

"Advertising must be factual. It must not mislead...."

"All advertising and promotional literature shall be completely truthful and refrain from false, misleading, or exaggerated impressions of the schools, personnel, courses and services, or occupational opportunities for graduates."

- 6 states require the school to be prepared to verify advertising.

"The school shall be prepared to verify everything used in advertisements or literature from its records."

"Statements and representations in all forms of advertising and promotion shall be fairly and clearly presented, accurate, and restricted to facts which can be substantiated by evidence available at the school."

- 6 states require a school official to be responsible for all advertising.

"All acts, statements, advertising, and representations of the school and its employees shall be considered as those of the owner(s)."

"Schools must approve and accept responsibility for all advertisements, promotional materials, or oral statements used by their agents."

- 5 states require advertising to conform to specific standards other than agency standards.

  "All advertising of an institution subject to this section shall be in accordance with the Statutes, Rules, and Regulations for advertising as supervised through the Department of Community Affairs and Economic Development Division of Consumer Affairs."

  "All advertising shall adhere to the rules and regulations of the Federal Trade Commission."

- 37 states restrict advertising regarding employment, job opportunities, placement salaries, or ability of school to completely train students within a certain period of time.

  "No person shall promise or guarantee employment that uses training unless such person offers a bona fide contract of employment for at least 6 months in a business conducted by him in which such training is a normal condition of employment."

  "A school shall not advertise that it will train students completely in any given length of time."

  "No person or group owning or representing a private school offering training to adults shall: ...(2) promise employment using training; (3) advertise concerning job availability, degree of skill, and time required to learn a skill or trade unless the information is accurate and in no way misleading;...(7) advertise in such a way as to lead the reader to the mistaken belief that employment is being offered;...."

  "It is a deceptive trade or sales practice for a school or agent to: ...(8) provide prospective students with testimonials, endorsement, or other information which tends to mislead regarding current practices of the school, current conditions for employment, or probable earnings;...."

- 31 states prohibit implying that issuance of a certificate or permit constitutes approval or give approved language for advertising certification.

  "The issuance of a permit shall not be deemed to constitute approval. Any representation or implication to the contrary shall be a misrepresentation."

  "Schools must include the phrase 'Licensed by the State Department of Education' in their advertising."

- 30 states require schools to advertise as schools, require the school name and data to be included in advertising, prohibit concealing that training is offered, or place restrictions on the name of the school.

  "All advertising must include school name, phone number, and address."

  "A school shall advertise only in its assigned name."

  "A school shall advertise only as a school and not in conjunction with any other business."

  "It is a deceptive trade or sales practice for a school or agent to: ...(5) adopt a name, trade name, or trademark which represents falsely the quality, scope, nature, size or integrity of the school or its educational services...."

- 11 states restrict advertising regarding the results of training.

  "No school shall represent that completion of training will result in union membership."

- 15 states limit or restrict advertising regarding accreditation.

  "No school shall use the words 'accredited' or 'approved' unless the complete name of the accrediting or approving organization immediately follows."

  "A school may not use the term 'accredited' unless it has been approved by a recognized accrediting agency."

- 11 states prohibit misrepresenting the transferrability of a school's credits.

  "Schools may not represent falsely that students may transfer credits to institutions of higher education."

  "The school shall not represent, unless such is the fact, that: (1) students may transfer credits to an accredited school...."

- 26 states prohibit or restrict endorsements and testimonials.

  "Schools shall not use endorsements unless the writer consents, and such material must be kept on file by the school."

  "If endorsements are used, they shall be dated and written evidence of them shall be kept."

  "Letters of endorsement used anywhere must be by prior consent, must portray currently correct conditions, must accurately reflect current school practices or employment opportunities, and must be on file for inspection. Remuneration shall not be made for consent or for use of the endorsement."

- 9 states limit the use of scholarships or financial premiums in recruiting.

  "Inducements called 'scholarships' should in no way be used as a means of recruitment. 'Scholarship' is defined as any form of assistance which in effect amounts to a reduction in tuition."

  "Agents shall not mislead prospective students by...offering scholarships or discounts which have not been approved by the Board."

- 7 states prohibit false representations regarding enrollment limitations.

  "Schools shall not misrepresent the nature of prerequisites for enrollment, limitations on numbers of students within a particular area or overall number that they will accept, or limitations on periods of time or deadline dates for applications."

I. Advertising or sales/recruiting practices (agents)

- 25 states require agents to be of good character.

  "An application for an agent's permit shall be accompanied by evidence of good reputation and character."

  "Agent's licenses will not be granted unless the applicant is of good moral character."

- 13 states restrict the terms that may be applied to agents.

  "Schools must prohibit sales representatives from portraying themselves as guidance counselors or any other title used to disguise the sales function."

  "It is a deceptive trade or sales practice for a school or agent to: ...(10) designate or refer to sales representatives as "counselors" or "advisors" or otherwise misrepresent their authority or qualifications."

- 10 states require training or supervision of agents.

  "Agents must be...adequately informed and supervised to assure compliance with laws and regulations."

  "Evaluations of solicitors shall take place at least once each year."

  "Sales representatives should be selected on their ability and integrity and should be given adequate preliminary training."

- 7 states require the school to be responsible for its agents' activities.

  "The school principal is responsible for all advertising, agents' recruitment procedures, published materials, and public relations activities."

  "The school shall be responsible for statements or commitments made by representatives and should protect itself against loss due to misrepresentation by requiring a cash deposit or surety bond as a guarantee of faithful performance."

- 6 states require character references for agents.

  "The school shall submit: ...(7) policies relative to solicitors' personnel files, which shall include character references.... Officers or employees of the school, their relatives, or relatives of the solicitor shall not be used as character references for solicitor applications."

  "Applications for agents' permits shall be...accompanied by...the sworn affidavits of three residents of the state as to the good character and reputation of the applicant."

J. Student and personnel recordkeeping practices

- 25 states require adequate, current or accurate records to be maintained.

  "Adequate records shall be kept...."

- 19 states require records to be available to the student or agency.

  "Records must be available upon request of the student to be furnished to prospective employers...."

  "The school must maintain records on each student.... These shall be open to state inspection."

- 27 states require that records show student attendance.

  "Adequate records shall be maintained to show attendance, progress, or grades...."

  "The school shall maintain...records which include: ...(9) attendance and absences...."

- 28 states require that records show student progress or grades.

  "Adequate records shall be maintained to show attendance, progress, or grades...."

  "The school shall maintain...records which include: ...(10) grades earned in each unit of the course taken...."

- 16 states require that records show student termination, completion, placement, or reasons for withdrawal.

  "...each school shall maintain student records including at least: ...(3) date of completion or termination of training and the reason(s) therefore;...."

  "The school shall maintain...records which include: ...(12) final certificate of completion, or discontinuance of the course; (13) date certificate or diploma was issued; and (14) if placement service is offered, placement efforts to employ the student and place of employment."

- 14 states require that records show personal data on students.

  "...each school shall maintain student records including...(2) student information including student identification number, age or date of birth, permanent address...."

- 11 states require that records show data on school staff.

  "Records shall include: ...(8) a personal data sheet on all administrators, directors, supervisors, and instructors."

  "Instructor applications and school-teacher agreements must be kept on file."

  "Any person or group which issues degrees, diplomas, honorary degrees, or honorary diplomas shall maintain for at least 3 years at its principal place of business...records showing...names, addresses, and educational qualifications of faculty...."

- 5 states require that records show compliance with admission requirements.

  "Schools must maintain records in the student's file to show compliance with admission requirements, including a copy of the enrollment agreement."

  "The school shall maintain verifiable evidence that each student meets the school's admission standards for his or her specific course and that the admission standards provide reasonable indication of the student's potential for successful completion."

- 13 states require records to be secured if an institution discontinues operation.

  "If an institution proposes to discontinue operation, its chief administrative officer shall file copies of academic records with the Commission. These records shall include information customarily required by colleges of transfer or advanced study candidates and the academic record of each student."

  "If a school is discontinued, the owner must file its records with the State Board or place them in a mutually acceptable depository."

K. Financial practices

- 6 states prohibit false, deceptive, misleading, or unfair collection or credit practices.

  "Neither the institution or its agents shall engage in false, deceptive, misleading or unfair collection or credit practices."

- 9 states require that uniform prices be charged for courses except in certain cases.

  "Prices for the same course or subject matter shall not vary between students except for group arrangements or in the event of a published price change."

  "There shall be no discounts except for cash payment."

- 8 states place limits on advance payments.

"The prospective student must not be required to make a non-refundable payment before s/he is accepted for enrollment."

"No school shall request or accept more than 10% of the total tuition prior to the start of the program...."

"Advance payments on tuition may not cover more than 1 year even if the training program lasts longer...."

"In each of its first two years of operation in..., a school shall not collect from...students a total of prepaid tuition and other charges in excess of its total school surety bond."

- 8 states require tuition rates to be maintained as published.

"Failure to maintain tuition rates as published is grounds for suspension or revocation of a school license."

"The school shall publish...its schedule of tuition rates...and shall not deviate from them."

- 11 states place restrictions on financial aid or scholarship programs.

"Financial aid and scholarships may be offered only on the following bases: (1) loans may be granted to worthy students; (2) work or service scholarships may be granted for actual performance of duties and remuneration which is not in excess of the current local rate; and (3) funded scholarships may be granted on the basis of value, number, and source of scholarship as printed in the catalog; or upon written application by a candidate and award by a school official on the basis of a truly competitive or merit procedure."

"Schools may provide financial grants, gifts, and premiums from their own or other sources only after written policies and procedures for each program have been approved."

- 8 states place restrictions on the sale of student loans or the assignment of contracts.

"During the 30-day grace period the school must agree, as an application commitment, that it will not discount any evidence of indebtedness given by a student or in any other way place such evidence into the hands of a holder in due course."

"Schools shall not transfer or assign promissory instruments made by students before 50% of the course is completed. Prior purchase of such instruments shall be subject to all defenses available against the school."

"Schools may not sell or discount student contracts or accounts receivable without student consent."

"An agreement or contract may not be transferred or assigned to a third party."

- 3 states require that charges for training be reasonable based on services rendered.

"Schools shall be able to show that tuition for each course is reasonable in light of service rendered, equipment furnished and its operating costs."

"No accreditation shall be issued until minimum standards appropriate to the school are met concerning the charges made for training, which shall be clearly stated and based on services rendered."

L. Refund policies and practices

- 9 states accept the refund policies of accrediting agencies under certain conditions.

  "If the school is accredited by a USOE-approved agency, the Board will accept its stated refund policy."

  "The Board may accept a school's refund policy if it equals or betters that required by a recognized accrediting agency for that type of school."

  "Schools must use the Commission-recommended refund policy, unless the Commission authorizes them to use the policy of a nationally-recognized accrediting agency, which must equal or exceed the Commission's policy."

- 4 states require schools to adhere to their published refund policy.

  "The school adheres to a tuition refund schedule as presented in published form prior to enrollment."

- 28 states require refunds in amounts based on some formula which considers training received or time attended.

  "If the school is not accredited, it must refund the following minimum amounts for any course 4 months or more in length: (1) the school may retain $50 as an enrollment fee under any circumstances of cancellation, in addition to other amounts which may be due it; (2) for cancellations occuring up to 2 months after the student enters training, the school must return all but 25% of course charges; (3) for cancellations occurring up to 4 months after the student enters training, the school must return all but 40% of course charges; (4) for cancellations occurring up to 6 months after the student enters training, the school must return all but 75% of course charges; and (5) after 6 months, the student is not entitled to a refund."

  "For other refunds, the following formula shall be used:

% of Attendance Time to Total Time of Course	Amount of Refund
up to 5%	80%
10%	70%
15%	60%
20%	50%
25%	30%
over 25%	no refund"

  "Each school's refund policy shall be approved only when the amount retained by the school does not exceed the following standards: (1) the enrollment fee shall be separately stated and its non-refundable portion shall be the smaller of either 20% of the total cost of the course or $50.00; (2) all money other than the fee shall be refunded when a student cancels before class begins (non-immigrant aliens are exempted); and (3) prior to completing 75% of training, the school shall refund a sum that does not vary more than 10% from the exact pro rata portion of unexpended tuition. Calculations are based upon weeks or series of lessons completed. Completion of part of a week or one lesson in a series counts as a full week or series."

- 21 states require a "cooling-off" period in which students may cancel their contracts without obligation.

  "Refunds shall...provide for the following: ...(2) a full refund of tuition and fees paid if, without having started training, the applicant withdraws within 3 days after signing the contract or making an initial payment...."

  "...all monies shall be refunded if notice of cancellation is dated before 72 hours after the contract is signed...."

  "...a "cooling-off" period for home soliciation shall be through midnight of the sixth day following signature...."

- 10 states require refunds for separately stated charges.

  "...where separate charges for consumable instructional supplies exist, only the exact amount charged for supplies consumed may be retained. The rest must be refunded."

  "If the school furnished books, supplies, and/or materials charged for in the total course cost and the student later withdraws, full refund for amounts charged for unissued books, supplies, and materials shall be made."

- 3 states do not require refunds for such charges if conditions are met.

  "The school may require that all items purchased by the student be retained and not be subject to refunds."

  "It is not required that extra expenses such as those for supplies, tools, activities, etc. be considered in refund computations, provided they are represented separately in the contract, catalog, or other source before enrollment."

- 8 states specify a method for determining withdrawal or termination date.

  "The effective date of the termination for refund purposes shall be the earliest of the following: (1) the last day of attendance if the student is terminated by the school; (2) the date of receipt of written notice from the student; or (3) 10 school days following the last date of attendance."

  "A student must be automatically terminated after 2 consecutive weeks of non-attendance at resident-training...."

  "Cancellation shall occur on the date the letter of cancellation is postmarked or, if hand carried, the date the notice is delivered to the institution."

- 3 states give a specific definition for "entered training" or "executed contract.

  "The date of execution of the contract shall be presumed to be the date of delivery of the notice of acceptance or, if delivered by mail, the postmark date."

  "Purchase of educational goods and services offered by a school is deemed to take place when acceptance of the student is communicated to the student by the school."

M. Placement

- 6 states require that records of the initial employment of graduates be maintained.

  "...the school shall maintain records of the initial employment of its graduates."

  "No license shall be issued to a school which offers, advertises, or implies placement services until the school files a certified copy of the school's placement record for the past year...containing a list of all graduates, descriptions of their jobs, names of employers, and other information...."

- 4 states require that evidence of referrals or placement efforts be maintained or filed if a placement service is offered.

  "...documented evidence of referrals must be maintained and should include: a) referrals per individual student, b) results of referrals, and c) final placement or other disposition...."

  "The school shall keep records of all efforts to place students in jobs, including employer names and job titles."

APPENDIX K

SAMPLE LANGUAGE FOR DETAILED PROVISIONS

TRADITIONAL PRIVATE DEGREE-GRANTING INSTITUTIONS

A. Institutional purpose, governance, operation, and organization

- 14 states have provisions regarding institutional organization and governance.

  "There shall be a governing board and chief administrative officer whose powers and duties are outlined in writing."

  "A board of trustees of from 7 to 20 or 25 members is recommended. There should be no conflict of interest or personal gain on the part of members."

  "Each institution shall be organized to provide efficient administrative, program, and resource support for the attainment of its purposes."

- 14 states have provisions regarding institutional purpose and/or character.

  "Each institution shall maintain appropriate and operationally effective statements of purpose and shall review them for revision and improvement at least every 5 years."

  "Broad purposes or goals of the institution must be well defined, including reasons for the existence of the institution in its community. Purposes should reflect the types of students accepted in various programs."

- 9 states have miscellaneous provisions regarding institutional operation.

  "In all phases of its operation, an institution shall conduct its affairs in a professional manner as judged by commonly accepted standards of all accredited institutions."

  "Colleges shall be administratively distinct from high schools in curricula, faculty, and operation; and at least the last two years shall be of special, professional, or graduate instruction."

  "Supportive services and office facilities shall contribute to maximum faculty and administrative efficiency."

B. Course length, content, goals, or objectives

- 14 states require courses to be appropriate to institutional goals, plans, or status.

  "Any proposed offering must be appropriate to the institution and its goals."

  "Students shall at all times be given instruction consistent with the approval of the institution's plans."

  "The curriculum and all other experiences should be designed to meet the specific purposes of the institution . . ."

- 9 states require evaluation and/or improvement of courses or instruction.

  "The means should exist for continuous evaluation of the curriculum by the faculty and for mofifying it when necessary."

  "All institutions shall provide: . . . (5) use of viable evaluation instruments and procedures."

  "Provisions shall be made for continuing reassessment of educational programs."

- 8 states require course objectives to be stated.

  "All institutions shall provide: (1) well-defined instructional outcomes . . ."

  "An institution must present a well-defined statement of the specific objectives for the students both generally and in each program area."

  "Licensure applicants are required to submit a description of each course of study on forms provided including: (3) each instructional unit, including measurable learning objectives . . ."

- 6 states require course components to implement course purposes or objectives.

  "Content and duration of programs ahll be designed to implement their purposes."

  "The quality and content of each program are such as may reasonably and adequately achieve its stated objectives."

"Special training for a profession or vocation shall be sufficient in extent and quality to insure that professional or vocational duties can be acceptably performed by recipients of the degree."

- 6 states require the breadth of curriculum to be appropriate.

"The number and variety of curricula should be determined by the purposes of the institution, the size of the student body, and available personnel and resources. Doing a few things well is better than undertaking too many specialities; however, curriculum design should be broad enough to allow for individual differences and interests."

"Colleges of arts and sciences of 100 full-time students should maintain at least eight separate fields of instruction. Development of varied curricula should involve addition of other heads of departments."

"The number of curricula offered should be determined by the size and the educational objectives of the institution."

- 5 states require continuity or sequence in curriculum.

"The curriculum shall give evidence of continuity and of a well-organized sequence."

"Curricula shall . . . provide sequences leading to competence."

"The curriculum should represent a well-planned sequence designed to achieve the purposes and objectives."

- 4 states require adaptations to meet students' needs.

"All institutions shall provide: . . . (4) adaptation of organizational and instructional procedures to students' needs."

"The institution should clearly show that the published curriculum is effectively administered for individual students."

- 3 states set requirements for a block of general or liberal education courses.

"The educational program should include a substantial amount of basic college studies in the arts and sciences. A basic program drawing upon the humanities, natural, and social sciences should be at least 40% of the total program."

"There should be a recognizable common core of subject matter that expresses the educational philosophy of the institution."

C. Degree, diploma, credential, or graduation requirements

- 4 states require appropriate credentials to be awarded.

  "Upon satisfactory completion of training, the student is given appropriate educational credentials."

- 3 states set limits on the granting of degrees based on transfer credit.

  "Schools will not be authorized to issue documents solely on the basis of training taken elsewhere or transfer credits."

  "Usually at least 30 semester hours of credit should be earned at the institution awarding the degree."

- 3 states require degree requirements to be consistent with current standards in similar institutions.

  "Requirements for a degree shall be consistent with current standards, practices, trends, and thepurposes of the institution."

  "Degrees shall be awarded only after completion of the quantity and quality of work usually required by reputable institutions."

- 3 states restrict honorary degrees.

  "Honorary degrees shall be awarded only by licensed . . . schools and must be represented and/or clearly marked as honorary."

- 3 states required earned degrees to be bona fide.

  "Earned degrees shall be bona fide academic degrees."

  "A diploma, certificate, or degree awarded shall constitute evidence that the recipient has attained a satisfactory measure of the educational purposes of the program."

  "Insitutions shall grant credit only upon demonstrated student accomplishment of stated course objectives."

- 3 states require a specific period of study to earn degrees.

  "Baccalaureate programs shall require 4 academic years of full-time study or equivalent."

  "The baccalaureate degree requires at least 8 semesters or 12 quarters of full-time study."

"Institutions incorporated under this Act shall have power to confer baccalaureate degrees . . . upon students who have completed a four-year course."

D. Staff

- 17 states require adequate or appropriate preparation or qualifications of faculty.

"Faculty members should be adequately prepared by both training and experience in the specific area of the teaching assignment."

"The faculty shall possess academic, scholarly, and teaching qualifications appropriate to their positions."

"The education and experience qualifications of directors, administrators, supervisors, and instructors reasonably insure that students will receive education consistent with the objectives of the course."

- 13 states require a reasonable or adequate number of faculty.

"The faculty is of reasonable number . . ."

"Number of faculty shall be sufficient to ensure continuity of the educational program and adequate contact with students."

"The size of faculty should bear definite relation to school type, number of students, and number of courses."

- 11 states restrict teachers' workload.

"The number of hours permitted to faculty for teaching and other responsibilities, as well as the size of classes, shall be such as to permit both effective work and professional growth. Generally no more than 15 semester hours of credit or 25 class hours per week shall be assigned."

"Classroom teaching loads shall be consistent with provision of adequate time for preparation for each class, professional growth, and non-teaching functions."

"Teaching loads shall be consistent with recognized educational practices and shall be appropriate to the field, variety of courses assigned, class size, and other factors."

- 10 states require specific educational qualifications of teachers.

"For collegiate instruction, a master's degree or comparable occupational qualifications are generally expected."

"Instructors must meet one of the following requirements: bachelor's degree . . ."

"Several faculty members, especially department chairmen, should have doctoral degrees and all others should have master's degrees from recognized graduate or professional programs."

- 10 states set requirements for the number of full-time faculty or limit the number of part-time faculty.

  "At least one full-time faculty member shall be employed for each major department . . ."

  "There shall be sufficient full-time teachers to insure continuity and stability of the educational program and to provide adequate association between students and faculty."

  "A substantial portion of course work should be taught by full-time faculty."

- 9 states set requirements for the administrators or governors of an institution.

  "Business management should be under the direction of a responsible, bonded financial officer."

  "A competent and adequate administrative staff shall be provided."

  "The chief administrator shall hold at least an earned baccalaureate degree from a recognized school and shall have a sufficient background of experience."

- 8 states set requirements regarding librarians.

  "The coordination and direction of library and resource activities shall be the responsibility of personnel with appropriate professional training."

  "Professionally trained staff adequate to the size of the student body should administer the library program with support from non-professionals, clericals, and students."

  "An adequate, competent, trained library staff shall be provided."

- 6 states require occupational qualifications.

  "Each member of the academic staff shall have demonstrated by training, earned degrees, scholarship, experience, and classroom performance or other evidence, competence to offer courses and discharge responsibilities."

  "Institutions shall offer evidence of arrangements for an instructional staff of which not less than 60% hold a master's degree or a baccalaureate degree and not less than 5 years' experience in the field."

"All who teach in the humanities, social sciences, and natural sciences must have a master's degree. In the creative or applied arts and in specialized professional or technical fields, evidence of competence is acceptable in lieu of advanced degrees. Faculty teaching courses which do not carry degree credit should have occupational, educational, or other professional experiences related to the subjects they teach. Experience of the faculty should reveal a balanced distribution among other accomplishments such as successful teaching, graduate work, scholarship and research, participation in professional associations, and contribution to the improvement of the education program."

- 3 states require school personnel to be of good reputation and character.

"Officers, trustees, directors, owners, administrators, supervisors, staff, and instructors are of good reputation and character."

- 3 states require instructor qualifications to be consistent with those prevailing at other accredited institutions.

"Each teacher shall have appropriate professional qualifications. Minimum qualifications shall be consistent with those prevailing at other accredited institutions or with the judgment of persons or groups involved in the evaluating and accrediting process."

- 3 states require orientation and/or evaluation of faculty.

"As part of the in-service professional development program, there should be an orientation for all new faculty, periodic evaluation, and critique of instructional methods and perhaps research accomplishment."

E. Facilities

- 22 states require facilities or materials and equipment to be adequate or appropriate.

"Physical facilities must be adequate and appropriate."

"Facilities shall be adequate for good instruction in courses offered."

"There shall be adequate resources to support the curriculum offerings of the school including audio-visual materials, independent study facilities laboratories, and laboratory supplies and equipment."

- 14 states require libraries to be adequate or appropriate.

"Library resources must be adequate in number and quality."

"The institution must provide library facilities adequate to the effective realization of its stated educational objectives."

- 13 states require facilities to meet legal requirements related to safety and health.

  "The physical plant shall: . . . (3) meet safety and high maintenance standards, including cleanliness; (4) meet adequate health standards and lighting; and (5) comply with all local, state, and federal laws particularly with respect to fire, safety, and health and evidenced by current certifications of compliance."

- 11 states list factors to be considered in determining adequacy of the library.

  "Adequacy shall be determined by the professional preparation and number of staff, the number, variety, up-to-dateness and suitability of books and other materials, the accessibility of materials, seating and space for quiet stydy, the annual appropriation for new purchases, and the method of selection of new materials which shall include faculty involvement."

  "Other factors such as space for study and leisure reading, accessibility of a variety of materials, money appropriated and method of selection for new books, hours the library is open, and the system for organizing and cataloging the collection will be considered."

- 6 states list factors to be considered in determining adequacy of facilities.

  "Science laboratories shall have sufficient space, physical equipment, and safety features for individual student work and experimentation in keeping with new developments. Language laboratories shall be equipped to permit students to supplement classroom instruction independently. Art studios shall have ample space and lighting; music departments shall have sufficient practice rooms and sufficient, well-maintained instruments. Classrooms shall be adequate in size, number, and equipment. Other space shall be planned so as to supplement instruction."

  "The site should be adequate in size to meet demands. It should be accessible, have easy access to utilities, be free of drainage problems or health hazards, have adequate parking within a reasonable distance, be traversed by a reasonable number of streets or walkways, be attractively landscaped and maintained, and conducive to good teaching and learning. Buildings should be located in rational relation to their functions."

  "Institutional quarters shall provide sufficient instructional space, proper lighting, clean and sanitary conditions and facilities consistent with institutional functions."

- 6 states require facilities to be appropriate or sufficient to purposes or objectives.

  "The buildings, grounds, classrooms, instructional facilities, furniture, equipment, machinery, instructional devices, and other physical requirements shall contribute directly to the achievement of objectives."

  "The physical plans and standards of maintenance should enable accomplishment of purposes."

- 5 states set standards for the seating capacity of the library.

  "Physical library facilities . . . should allow for seating of from one-fourth to one-third of the student body."

  "Library seating and work space shall be adequate to accommodate a reasonable proportion of faculty and students at one time."

- 5 states require library material to be accessible or convenient.

  "The library collection shall be . . . readily accessible."

- 5 states set standards for library budgets.

  "A program for continuous acquisition and recording of materials shall be clearly outlined and maintained, with a pattern of expenditures in relation to the total operational budget consistent with that of recognized colleges of similar type."

  "There shall be annual appropriations for purchase of books, periodicals, journals, and non-print media."

  "Operations and acquisitions of the library shall be budgeted for."

- 4 states set standards for quality of library collections.

  "Materials shall be . . . current."

  "Collections should be frequently tested and weeded."

  "The book collection should be up to date with volumes selected for each curriculum. In professional or technical libraries, there should be works that encourage cultural breadth and intellectual vision as well as specialized collections. General education programs should be supported by volumes from specialized fields."

- 4 states set standards for quantity of the library collection.

  " . . . standards require following the size and quality recommendations for library collections of the American Library Association--50,000 volumes for a senior college up to 600 students with 10,000 volumes for each additional 200 students--or following the recommendations of an appropriate professional association."

  "The library collection should effectively support the current instruction and purposes of the college. Even a small college with 300 or less students should have at least 12,000 volumes."

- 4 states set standards for the "climate" of the library.

  "The library shall include . . . a physical environment conducive to reflective pursuits."

  "The library should be well-lighted, ventilated, sound-conditioned . . ."

F. Financial stability

- 18 states require institutions to be financially stable or to have adequate resources.

  "The school's financial resources must appear adequate to insure operation for the duration of the approval."

  "The institution must demonstrate financial resources adequate for the effective accomplishment of its announced purposes."

  "The institution is financially sound and capable of fulfilling its commitments to students."

- 10 states require institutions to prepare financial statements or be audited.

  "Institutional financial reports shall be available for review on request by accrediting groups and governmental agencies."

  "An operating statement and propose balance sheet for the fiscal year and a budget summary for each present fiscal year must be presented, in comparable detail to those prepared for trustees."

  "An annual audit and operating statement shall be prepared by a disinterested certified public accountant."

- 6 states set standards for financial records or statements.

  "Complete financial records should be kept."

  "Each institution shall have adequate financial recores which shall be audited annually by an independent CPA knowledgeable in accounting practices used by colleges."

- 6 states list factors to be considered in determining financial adequacy or stability.

  "The school's financial resources shall be adequate to its proposed scope, facilities, and number of students. Adequacy shall be measured against general administration expense, as well as costs of instruction, libraries, and maintenance of physical plant, and shall take into account both gross amount of income and income per student."

  "Resources from tuition and other sources must be adequate to accomplish stated purposes, and employ and retain competent instructors and executives even trhough enrollment is occasionally down."

- 6 states attempt to quantify financial adequacy or stability in various ways.

"There should be a minimum of $500,000 for an adequate reserve in unemcumbered funds for a beginning private four-year institution."

"If a school plans to grant baccalaureate degrees, it must have resources of at least $500,000 beyond indebtedness before it can receive approval to commence operation."

"Schools with 300 or fewer students should have minimum annual operating incomes, exclusive of interest payments, annuities, etc. of $40,000 from stable sources other than from students. For each additional 100 students or a major fraction thereof, $4,000 more in stable income should exist. Minimum annual expenditure per student on library resources, supplies, and staff salaries should be $30."

"The annual expenditure per student must meet the minimum prescribed by the Southern Association of Schools and Colleges."

"Institutions shall offer evidence of arrangements for current operating support of at least $800 per student for 2 semesters or 3 quarters per year."

- 3 states require income to be spent for certain purposes.

"Income msut be spent to provide adequately for instruction, administration, maintenance, equipment, and support."

"Finances should be effectively applied to the support of the educational program."

- 3 states require a plan or program for financial development.

"Each institution shall have a well-developed plan for long-range financial development which included a program designed to secure gifts, endowments, and income."

"Financial planning for the future should include specific projections of income from each source, specific plans for major categories of expenditure, and plans for the increase of capital resources."

G. Qualifications of potential students and orientation of entering students

- 12 states require high school graduation or equivalent to be an entrance requirement.

  "Graduation from an accredited secondary school or evidence on standardized entrance examinations shall be required."

  "Applicants for degrees possess the usual high school qualifications at the time of their candidacy."

  "Admission requirements shall be designed . . . This normally menas a high school diploma, but other equivalent criteria may be used."

- 6 states require "reasonable" or "appropriate" entrance requirements or admissions policies.

  "The institution should have a clearly stated selective admission policy which is appropriate to the institution's purposes and organization."

  ". . . policies governing student entrance requirements shall be reasonable . . ."

  "If standards of admission to the institution appear to be sufficient, the Secretary of Education shall approve the articles of incorporation."

- 6 states require institutions to limit enrollments to students with appropriate interests and abilities.

  "Only those students whose educational interests are in harmony with its purposes and whose abilities qualify them to pursue pertinent studies shall be admitted."

  "Each institution shall have a clearly defined admissions policy appropriate to its purposes and shall admit those students whose educational interests and abilities qualify them to pursue a program that is offered."

- 5 states require admissions standards to assure students will be able to complete the program.

  "Schools must show their entrance requirements and demonstrate that students meeting them are able to benefit from the education offered."

  "Admission standards shall assure that the student should be able to pursue and successfully complete the program."

  "Admission standards shall be structured so that they result in selection, admission, and retention of those qualified to accomplish the level of work offered."

- 3 states prohibit discrimination in admissions based on race, sex, creed, etc.

  "The applicant must assure the Commission, on forms provided, that enrollment is open to all who meet entrance requirements regardless of age, sex or national origin."

  "No student is excluded from admission based on race, sex, creed, or national origin."

H. Public disclosure (means)

- 14 states set requirements for catalogs.

  "The catalogs and all other announcements must give an accurate description of the actual offerings of the institution. The catalog should include: (1) identification data; (2) names of the institution, the governing board, and the administrative staff and faculty showing earned degrees and the institutions granting them; (3) complete calendar for the academic year; (4) statement of accredited and approved status; (5) statement of the origin and objectives of the institution; (6) admission and graduation policies and requirements; (7) detailed schedule of all fees and other charges as well as refund policies; (8) information on scholarship funds; (9) description of the institution including buildings, grounds, and equipment; (10) list of degrees conferred and requirements for each degree; (11) outline of each curriculum, a description (including prerequisites) of each course offered during the period covered by the catalog, and an indication of courses offered at other times; and (12) number of weeks of instruction per semester and of class meetings per week."

  "Catalogs shall be published at least every 2 years and shall contain at least: (1) objectives and purposes; (2) names of governing board, faculty, and administrative staff; (3) curricular offerings and programs of study; (4) admission and degree requirements; (5) student costs and policies on refunds; and (6) other regulations and requirements."

  "A catalog shall be published at least every 2 years and shall contain general informaiton, and the college's administrative and academic policies as indicated below: (1) General Information: (a) official name and address of the college, name of chief administrative officer, members of the governing body, and principal owners; (b) calendar, including beginning and ending dates; (c) names of faculty, including relevant education and experinece; and (d) full disclosure regarding philosophy and purpose of the institution and its capacity to fulfill objectives. (2) Administrative Policies: (a) admission policies and procedures, including granting of credit for previous education; (b) policies and procedures regarding student conduct and behavior and the process for dealing with cases or probation and dismissal; (c) schedules for all tuition and instructional charges and refund schedules; (d) financial aids; and (e) procedures for obtaining transcripts in a timely fashion at a reasonable cost. (3) Academic Policies: (a) class attendance; (b) grading system; (c) description of programs, including the course requirements and time normally required to complete each; and (d) full description of the nature and objectives of all degrees offered."

- 4 states require certain information to be published.

"Curriculum offerings shall be clearly and accurately described in all published materials."

"Requirements for admission, residence, graduation, diplomas, certificates and degrees, including time limits and other requirements shall be clearly defined and published."

- 3 states include requirements for enrollment contracts.

"Enrollment contracts must include clear and oncspicuous reference to the existence of a termination and refund policy."

"The catalog and enrollment application, contract or agreement will set forth the reasonable application fee which the college may retain."

- 3 states require information to be furnished prior to enrollment.

"The institution provides students, prospective students prior to enrollment, and others with a catalog or brochure describing the programs offered, program objectives, program length, schedule of tuition, fees, and all other charges necessary for completion, cancellation and refund policies, other material facts likely to affect enrollment decisions, and any other disclosures specified by the Commission . . ."

- 3 states require certain information to be available or made known.

"For every course taught, there should be available a clear statement including at least: specific objectives, major topics or activities, bibliography, instructional methods and aids, and special reports of honor projects."

"The institution shall make known its standards of competence for each program."

I. Advertising or sales/recruiting practices (advertising)

- 12 states restrict the use of terms such as "college" or "university."

"The terms 'college' and 'university' are restricted to accredited degree-granting schools, schools licensed under this Act, or schools which were operating and using the terms on 1 April 1970."

"Educational corporations shall be classified as follows: (w) those having capital of not less than $500,000; (x) those having a capital less than $500,000 but not less than $100,000; (y) those having capital of $1,000,000 or more; and (z) those maintained by an ecclesiastical or religious group for denominational purposes. The use of the words 'college' or 'university' in the name of any institution formed henceforth is limited to educational corporations of class (w), class (y), or eligible corporations of class (x)."

"The name of the institution shall clearly indicate the nature of the program offered, such as institute or college for an associate degree program, college for baccalaureate degree program in not more than two fields, for master's programs, doctoral programs and graduate-professional programs, and school, college, or seminary for graduate-professional degree programs."

- 7 states limit advertising of state approval.

  "An institution shall not state that it is "accredited" by the State but may state that it is approved to operate if this is so."

  "Specific wording to be used in advertising regarding licensure is given. Use of the official seal is prohibited. The size of wording relating to licensure is limited."

- 6 states require information or advertising to be accurate, correct, factual, etc.

  "Information disclosed to the public must be adequate and correct."

  "Advertising shall be factual and in good taste and shall meet generally accepted standards for professional conduct. Advertising should lead laymen of reasonable judgment to conclusions that are completely supported in fact."

  "All publications shall accurately and realistically describe what the college can actually provide. "

- 4 states prohibit false, deceptive, misleading or unfair practices.

  "Neither the institution nor its agents engage in advertising, sales, collection, credit or other practices which are false, deceptive, misleading, or unfair."

- 3 states place additional restrictions on a school's name.

  "Institutions shall not use words in their title that might imply an official connection with the U. S. Government."

  "An institution shall not use any name, label, insignia, or designation which misleads or deceives prospective students as to the nature of the school, its accreditation, programs, or methods."

  "Before a school may use a dba (doing business as) or ficticious name, it must have the new name approved by the Commission. After approval, the name must be registered in the school's county, and the registration filed with the Commission prior to authorization."

  "Only schools maintained by the state and the state university may use any words in their name indicating a relationship with the state."

I. Advertising or sales/recruiting practices (agents)

- 4 states prohibit agents from engaging in false, deceptive, misleading or unfair practices.

  "Neither the institution nor its agents engage in advertising, sales, collection, credit or other practices which are false, deceptive, misleading or unfair."

- 3 states require agents to swear to represent their schools honestly and accurately or to sign affidavits to that effect.

  "Agents must swear by affidavit to represent their schools honestly and accurately."

J. Student and personnel recordkeeping practices

- 9 states require records of student progress or performance.

  "The school shall maintain current, accurate records of student attendance and progress."

  "Adequate records and standards are maintained to reflect attendance, progress, and performance."

  "Adequate provision shall be made to record student progress and to inform students regularly of their progress and remaining obligations."

- 7 states require records to be secured if the school discontinues operation.

  "Schools which discontinue operation must convey all student records to the Board or to a place the Board designates."

  "If an institution discontinues operation, its chief administrative officer shall file with the Commission the academic records of the institution including academic information customarily required for transfer or advanced study. If it appears to the Commission that these records are in danger of being made unavailable, it may seek a court order permitting seizure and shall maintain a file of records in its possession."

  "If an institution ceases instruction temporarily or permanently, academic records of all students who have been registered and an explanation of the credit and grading system shall be forwarded to the Commission."

- 6 states require student records to contain college grades or credits.

  "Student records shall include . . . academic grades in college."

  "A permanent record system shall be carefully kept clearly showing all credits . . ."

  "Adequate records are maintained to show . . . grades."

- 6 states require records of students' background to be maintained.

  "Student records shall include official transcripts of credits earned in secondary schools . . ."

  "The files of applicants for admission should contain their complete school record including courses, grades, and other information properly signed by the high school principal, guidance officer, or other school official."

  "A permanent record system shall be carefully kept clearly showing all credits, entrance records, original credentials from other schools with explanations . . ."

- 6 states require records of attendance to be maintained.

  "Adequate records and standards are maintained to reflect attendance, progress, and performance."

  "At any point, an institution shall be able to provide a transcript showing dates of attendance . . ."

- 4 states require student records to contain college admissions records and/or test results.

  "Student records shall include . . . college admission records and cumulative records of the results of achievement and intelligence tests . . ."

  "A permanent record system shall be carefully kept clearly showing all . . . entrance records . . ."

  "Adequate student records should be maintained including information on admission and matriculation . . ."

- 4 states require student records to be available.

  ". . . student records shall be available and adequate provision shall be made to keep them secure from damage or loss . . ."

  "The college shall maintain records in an orderly manner and make them available for inspection."

K. Financial practices

- 7 states include requirements covering transactions with students.

  "Neither the institution nor its agents engage in . . . collection, credit, or other practices which are false, deceptive, misleading, or unfair."

  "Payment of tuition through an installment or deferred payment plan shall comply with the provisions of both the Unruh Act of California and the United States Truth in Lending Act."

  "The schedule of charges shall be uniformly administered to all students."

  "That the fee charged for the courses and the conditions and terms under which such fees are to be paid are reasonable."

  "Agencies loaning money or extending credit to persons for any charges for educational services shall cause any evidence of indebtedness to be conspicuously marked on its face, 'Student Loan.'"

- 4 states include requirements covering an institution's budget.

  "Sufficient budgetary support shall be available to ensure continuous growth of the library collection and adaptation of library resources to student needs."

  "An institution's income must be expended as to provide equitably for instruction, administration, maintenance, equipment and supplies, library, and student activities."

  "The budget should be prepared and supervised in accordance with sound financial and educational practices."

  "If an institution includes contributed services in its accounts, the value assigned to those services shall be realistic in terms of current conditions."

  "Each institution shall plan its expenditures by budgeting with provision for priority allocation in support of specific institutional purposes."

L. Refund policies and practices

- 4 states require fair and equitable refund policies.

  "The institution has a fair and equitable cancellation and refund policy."

- 3 states permit a nonrefundable registration fee.

  "Delivery after 3 days but before classes start entitles the student to a total refund less $50 registration fee."

  "Within 10 days of enrollment but 30 days prior to the date classes begin, a student may withdraw with full refund except for a reasonable application fee. If charges are collected prior to entrance and the student fails to enter, then not more than $100 or not more than 10% of the charges for a term, whichever is less, shall be retained."

  "In the event a student withdraws prior to the start of classes, he/she is entitled to a complete refund except for a nonrefundable registration fee which shall not exceed 5% of the tuition or $50, whichever is less. Registration fee shall include the actual cost of enrolling, and may include the cost of student interviews, processing applications, credit checks, and an allowance for reserving the student's place in class, but shall not include the cost of advertising, salesman's commission, overhead, or cost of instructional materials used in class. If the actual cost of registering a student exceeds $50, the school shall submit a justification. The administrator has discretion to deny the excess . . ."

- 3 states require a refund of all monies paid less the registration fee prior to the start of classes.

  See above for sample language.

- 3 states require other refunds based on some formula which considers time attended.

  "The institution has a fair and equitable cancellation and refund policy which provides students who cancel during the first 25% of the course with a refund equal to 50% of the total fee or a proportional amount if the student has not paid the total. Institutions may, but are not required to, provide greater refunds or provide refunds after completion of 25%."

  "If notification of withdrawal is given, the college shall comply with the following schedule: (a) during the first 25% of the course or semester, at least 75% of charges shall be returned; (b) during the second 25%, at least 50% shall be returned; (c) after completion of 50%, no refunds are required."

"For other refunds, the following formula shall be used:

% of Attendance Time to Total Time of Course	Amount of Refund
up to 5%	80%
10%	70%
15%	60%
20%	50%
25%	30%
over 25%	no refund

APPENDIX L

SUMMARY OF RESPONSES TO TELEPHONE INTERVIEW GUIDE FOR AGENCIES WITH RESPONSIBILITY FOR PRIVATE INSTITUTIONS

11/29/77

INTERVIEW GUIDE FOR AGENCIES OVERSEEING PRIVATE INSTITUTIONS

State: ______________________ Date: ______________

Interviewee: ______________________ Start time: ______________

Interviewer: ______________________ Finish time: ______________

Are any changes required in the abstract of laws/regulations for this state? ___Yes ___No

If Yes, make sure they are recorded on our copy here or otherwise documented so that the final abstracts can be revised.

Have any new laws/regulations been implemented which are not contained in the abstracts? ___Yes ___No *If Yes, ask for a copy.*

Indicate by checking (✓) the sector (or sectors) which are being covered by this respondent; in the event of exemptions within a sector, check anyway.

	Non-Degree Granting	Degree Granting
Private non-profit	______	______
Private profit seeking	______	______

Does this state use the word "proprietary" to cover the private, profit-seeking sector only? ___ Yes ___ No

A. Agency Functions

1. Read the definitions as written in the questionnaire and check (✓) those which the respondent says are performed or participated in by his/her agency. *(Note that if the state's law exempts certain institutions from oversight, the function is not performed with respect to those institutions.)*

___ a. chartering

___ b. institutional authorizing; actually called ______________________

____

___ c. institutional regulating; actually called ______________________

____

___ d. course or program authorizing; actually called ______________________

____

___ e. course or program regulating; actually called ______________________

____

___ f. certifying institutional eligibility

Discontinue if none are checked above.

Summary of Responses

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
Average time for interview, in minutes *(N)*		85.7 *(33)*	85.2 *(31)*	89.2 *(13)*
Changes?	Yes	11	5	5
	No	13	20	7
	ND	11	9	1
Sectors -- # checked	Private non-profit	30	34	10
	Private profit seeking	35	19	13
"Proprietary" used?	Yes	16	15	6
	No	16	8	6
	ND	3	11	1
A. Agency Functions 1. Functions Performed -- # Yes				
	a.	4	8	2
	b.	32	29	13
	c.	32	25	13
	d.	28	30	11
	e.	22	23	9
	f.	2	12	0

2. Check the additional functions performed.

___ a. VA course approval

___ b. requiring bonds for salespersons *(Write in the definition of salesperson unless it is defined in the laws we have abstracted.)*

___ b' requiring licenses or permits for salespersons

___ c. specialized program approval

___ d. other *(describe)*

3. Record the approximate numbers of institutions for or on which each function is performed.

Authorizing and/or regulating functions

# of institutions

_________ a. chartering

_________ b. institutional authorizing

_________ c. institutional regulating

_________ d. course/program authorizing

_________ e. course/program regulating

_________ f. eligibility

Are significant numbers of institutions in the sectors overseen by this agency operating in this state without any state agency oversight (e.g., they are totally exempted, not required to obtain licenses, register, etc.)?

___ Yes ___ No

If *Yes*, how many and for what reason or reasons are they exempted?

Additional functions

# of institutions

_________ a. VA course approval

_________ b. requiring bonds for salespersons. In these institutions, approximately _______ salespersons are bonded.

_________ b'. requiring licenses for salespersons. In these institutions, approximately _______ salespersons are licensed.

_________ c. specialized program approval

_________ d. other *(as described above)*

Variable		[illegible] (N = 36)	[illegible] (N = 34)	[illegible] (N = 13)
2. Additional functions performed — # Yes	a.	12	9	6
	b.	28	7	11
	b'.	27	6	12
	c.	8	4	2
	d.	8	11	1
3. Average number of institutions for primary functions *(N)*	a.	66.5 *(4)*	46.0 *(6)*	38.5 *(2)*
	b.	52.8 *(30)*	12.2 *(24)*	20.5 *(12)*
	c.	113.3 *(33)*	31.5 *(24)*	97.2 *(13)*
	d.	73.9 *(27)*	27.7 *(20)*	96.3 *(12)*
	e.	135.5 *(33)*	34.1 *(22)*	116.3 *(9)*
	f.	29.5 *(2)*	53.0 *(12)*	-- *(0)*
Institutions without oversight?	Yes	17	15	7
	No	14	13	5
	NR	4	6	1
Average number of institutions for additional functions *(N)*	a.	214.6 *(12)*	157.0 *(8)*	138.0 *(6)*
	b.	74.1 *(26)*	11.0 *(7)*	75.2 *(11)*
	b'.	83.2 *(23)*	7.0 *(6)*	97.3 *(12)*
	c.	71.6 *(5)*	9.3 *(4)*	33.0 *(2)*
	d.	119.2 *(6)*	57.7 *(10)*	-- *(0)*
Average salespersons bonded *(N)*		202.5 *(27)*	28.5 *(4)*	296.2 *(11)*
Average salespersons licensed *(N)*		282.1 *(24)*	37.5 *(4)*	319.0 *(12)*

4. Record the approximate agency revenues (e.g., income actually received) for calendar year 1976, by source. *(NOTE: If the respondent has only fiscal year figures, record these.)*

Figures are for *(check one)*:
___ 1976 (calendar)
___ 1976 (fiscal)
___ other *(describe)*

Approximate revenues

$________ a. State General Fund
________ b. fees
________ c. VA
________ d. other state sources *(describe)*

________ e. other non-state sources *(describe)*

========
$ Total

5. Record the general types of services or other revenues that are not counted in the above totals.

6. Number of persons employed (average FTE): ______________________

Figures are for *(check one)*:
___ 1976 (calendar)
___ 1976 (fiscal)
___ other *(describe)*

7. Omit this item.

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
4. Fiscal Year for revenue data	CY76	1	1	1
	FY76	20	16	8
	CY77	0	0	0
	FY77	9	9	3
	?	1	0	0
	ND	4	8	1
Average revenues by categories *(N)*	a.	$ 69,261 *(33)*	$151,499 *(27)*	$49,090 *(12)*
	b.	15,034 *(33)*	1,204 *(28)*	10,517 *(12)*
	c.	69,327 *(33)**	5,950 *(27)**	25,483 *(12)**
	d.	5,182 *(33)*	68,113 *(28)*	0 *(12)*
	e.	4,819 *(31)*	41,161 *(28)*	3,062 *(11)*
	Total	$ 162,107 *(33)*	$ 263,834 *(27)*	$87,896 *(12)*

5. *Answers tabulated separately*

		NDG	DG	BOTH
6. Average FTE *(N)*	Total	5.87 *(34)*	15.00 *(31)*	4.67 *(12)*
	Professional	2.56 *(11)*	1.27 *(7)*	3.40 *(3)*
	Clerical	1.33 *(11)*	0.81 *(7)*	1.73 *(3)*
Fiscal Year for FTE data	CY76	0	1	1
	FY76	20	14	9
	CY77	0	0	0
	FY77	9	13	3
	?	1	1	0
	ND	5	5	0

---

*For only those agencies that perform the VA course approval function (see item 2a), the average VA revenues are: NDG $190,6[illegible] (N=12); DG $17,850 (N=9); Both $50,966 (N=6).

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8. If the institutional regulating/overseeing function is performed, record how often institutions are required to renew their licenses/permits/etc. If this function is not performed, write "not performed."

9a. Record any significant changes in laws/regulations during the past 5 years. Try to cover motivation, source of actual initiation, nature of barriers encountered. *(NOTE: if there are significant changes in process currently, note these and ask following questions in present tense.)*

9b.
Was the ECS Model Legislation used at all? ____ Yes ____ No

If *Yes*, check one: ____ in laws ____ slightly
____ in regulations ____ moderately
____ other *(describe)* ____ extensively

9c.
Were laws/regulations from other states used? ____ Yes ____ No

If *Yes*, what state(s)?

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
8. Frequency of renewal				
1 year cycle		28	10	11
2 year cycle		2	5	2
3 year cycle		1	1	0
4-5 year cycle		1	3	0
6-10 year cycle		0	3	0
Irregular		0	3	0
? or MD		3	9	0
9a. *Answers tabulated separately*				
9b. ECS Model Legislation used?	Yes	13	11	7
	No	13	9	5
	?/MD	0/9	3/11	0/1
in laws?	Yes	10	8	7
	No	1	2	0
	Omit/MD	13/11	9/15	5/1
in regulations?	Yes	8	5	2
	No	4	5	5
	Omit/MD	13/10	9/15	5/1
other?	Yes	1	0	0
	No	11	10	7
	Omit/MD	13/10	9/15	5/1
degree of use?	Slight	3	4	1
	Moderate	3	2	1
	Extensive	5	4	5
	Omit/MD	13/11	9/15	5/1
9c. Other state laws and regs used?	Yes	17	10	5
	No	9	11	6
	?	0	1	0
	MD	9	12	2

10. Note the following points with regard to procedures for establishing new regulations or rules.

a. Is legal counsel involved? ____ Yes ____ No

b. Are affected institutions allowed to participate in formulating criteria/standards? _____Yes _____No

c. Are public hearings held? _____Yes _____No

d. Are educational advisory groups/boards utilized? _____Yes _____No

d'. If *Yes*, are school representatives on these groups or boards? _____Yes _____No

11. Mention the authorizing forms we have in our files. Ask the respondent to send us a complete set of the forms we don't have. Do we have a complete set?

_____Yes _____No

12. Mention the oversight forms we have in our files. Ask the respondent to send us a complete set of the forms we don't have. Do we have a complete set?

____ Yes ____ No *If No*, is one being sent? ____ Yes ____ No

13. Omit this item.

Variable		MDG (N = 35)	DG (N = 34)	BOTH (N = 13)
10a. Legal counsel?				
	Yes	31	25	11
	No	4	8	2
	MD	0	1	0
10b. Institutions participate?	Yes	32	29	12
	No	3	4	1
	MD	0	1	0
10c. Public hearings?				
	Yes	30	28	11
	No	5	5	2
	MD	0	1	0
10d. Advisory groups?				
	Yes	24	23	9
	No	11	10	4
	MD	0	1	0
10d'. School reps?	Yes	19	21	9
	No	0	0	0
	?	5	2	0
	Omit	11	10	4
	MD	0	1	0

Items 11-13 are not tabulated

14. Are on-site school visitations made? ____ Yes ____ No

If No, go on to item 17.

15. Record the responses to each of the following questions with regard to on-site authorization school visitations.

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?

____ Yes ____ No

If *Yes*, please describe.

c. What is the average duration of the site visits?

d. Do these site visits occur in conjunction with visits for other purposes?

____ Yes ____ No If *Yes*,

(1) VA course approval site visits ____ Yes ____ No

(2) private accreditation agency site visits ____ Yes ____ No

(3) other *(describe)*

e. Are there any fixed educational standards or criteria which the site visit team seeks to apply? ____ Yes ____ No

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
14. Site visitations?				
	Yes	28	31	12
	No	7	3	1
	MD	0	0	0
15a. *Answers tabulated separately*				
b. Required qualifications, authorizations?	Yes	18	24	8
	No	7	5	2
	Omit	7	3	1
	MD	3	2	2
c. Average duration in days, authorization visits *(N)*		.84 *(25)*	1.84 *(27)*	.86 *(10)*
d. Conjunction?	Yes	10	9	3
	No	15	20	7
	Omit	7	3	1
	MD	3	2	2
d(1) VA	Yes	8	2	1
	No	2	3	1
	Omit	22	23	8
	MD	3	6	3
d(2) accreditation	Yes	8	7	1
	No	1	1	1
	Omit	22	23	8
	MD	4	3	3
d(3) other	Yes	0	0	0
	No	11	8	2
	Omit	21	23	8
	MD	3	3	3
e. Standards or criteria?	Yes	22	27	9
	No	3	2	1
	Omit	7	3	1
	MD	3	2	2

16. Record the following, with regard to oversight on-site visits. *If same as above, check here (____) and ask only item "d."*

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?

____ Yes ____ No

If *Yes*, please describe.

c. What is the average duration of the site visits?

d. How frequently are site visits made?

e. Do these site visits occur in conjunction with visits for other purposes?

____ Yes ____ No If *Yes*,

(1) VA course approval site visits ____ Yes ____ No

(2) private accreditation agency site visits ____ Yes ____ No

(3) other *(describe)*

f. Are there any fixed educational standards or criteria which the site visit team seeks to apply? ____ Yes ____ No

17. Are there variations or distinctions in procedures for:

a. accredited schools? ____ Yes ____ No

a'. If *Yes*, is there a distinction for "recognized" accreditation agencies?

____ Yes ____ No How is "recognized" defined? What variations/distinctions?

b. "nontraditional" programs? ____ Yes ____ No

What variations/distinctions?

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
16a. *Answers tabulated separately*				
b. Required qualifications, oversight?	Yes	19	21	9
	No	9	5	1
	Omit	7	3	1
	MD	0	5	2
c. Average duration in days, oversight visits *(N)*		.77 *(28)*	1.64 *(21)*	.58 *(10)*
d. Average frequency in years between site visits *(N)*		.84 *(26)*	3.42 *(18)*	1.47 *(10)*
e. Conjunction?	Yes	13	10	6
	No	15	16	5
	Omit	7	3	1
	MD	0	5	1
e(1) VA	Yes	10	3	4
	No	2	2	1
	Omit	22	19	6
	MD	1	10	2
e(2) accreditation	Yes	9	7	4
	No	3	1	2
	Omit	22	19	6
	MD	1	7	1
f. Standards or criteria?	Yes	24	22	10
	No	4	4	1
	Omit	7	3	1
	MD	0	5	1
17a. Distinctions for accredited schools?	Yes	11	18	6
	No	24	16	6
	MD	0	0	1
a'. Recognized?	Yes	7	12	4
	No	0	2	0
	Omit	24	16	6
	MD	4	4	3
b. Nontraditional?	Yes	3	6	1
	No	32	28	11
	MD	0	0	1

c. out-of-state institutions? ____ Yes ____ No

What variations/distinctions?

c'. Are institutions operating only on federal government property (e.g., on military bases) also so affected? ____ Yes ____ No

d. institutions or programs incorporated in this state which operate outside the state? ____ Yes ____ No

What variations/distinctions?

e. correspondence institutions? ____ Yes ____ No

What variations/distinctions?

f. *(degree granting only)* contracted programs? ____ Yes ____ No

What variations/distinctions?

18. Does this agency have "standing" before a court of law as a legal authority?

____ Yes ____ No

If *Yes*, can it

a. seek court injunctions? ____ Yes ____ No

b. seek other legal remedies (e.g., fines, sentences)? ____ Yes ____ No

If *Yes*, please describe.

19. Does this state have an Administrative Procedures Act? ____ Yes ____ No

If *Yes*, describe how it affects the enforcement operations of this agency.

20. Describe the roles of each of the following in conducting investigations. If there are no such staff, indicate "none."

a. agency legal staff

b. State Attorney General's legal staff

c. legal staff from other sources *(describe)*

d. agency line staff (non-legal)

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
c. Out-of-state?	Yes	12	11	5
	No	23	23	7
	MD	0	0	1
c'. Military institutions?	Yes	4	2	1
	No	8	8	4
	Omit	23	23	7
	MD	0	1	1
d. Outside state?	Yes	3	3	2
	No	31	30	10
	MD	1	1	1
e. Correspondence?	Yes	13	1	6
	No	21	33	6
	MD	1	0	1
f. Contracted? (degree only)	Yes	0	2	1
	No	0	31	8
	Omit/MD	35/0	0/1	0/4
18. Standing before the court?	Yes	19	21	11
	No	16	13	2
	MD	0	0	0
a. Injunctions?	Yes	15	20	11
	No	2	0	0
	Omit	15	13	2
	MD	3	1	0
b. Other legal?	Yes	12	17	9
	No	4	2	2
	Omit	15	13	2
	MD	4	2	0
19. Administrative Procedures Act?	Yes	28	30	13
	No	5	4	0
	?	2	0	0
	MD	0	0	0

20. *Answers tabulated separately*

21. Is there a central complaint handling system or procedure? ____ Yes ____ No

If *Yes*, does it include:

a. a requirement that the complaining party file a formal written notice of the complaint before it can be investigated? ____ Yes ____ No

b. a method for bringing class action suits by students? ____ Yes ____ No

c. authorization for students (or their legal representatives) to have access to the agency's records for bringing suits? ____ Yes ____ No

22. Is institutional information derived from investigations or student complaints sent by agency to any of the following:

a. accreditation agencies? ____ Yes ____ No. If *Yes*, ___ Formal ___ Informal

b. government agencies in other states which perform school authorizing/oversight? ____ Yes ____ No. If *Yes*, ___ Formal ___ Informal

c. federal government agencies (USOE)? ____ Yes ____ No
If *Yes*, ___ Formal ___ Informal

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
21. Central complaint handling system?	Yes	26	10	12
	No	9	24	1
	MD	0	0	0
a. Written notice?	Yes	21	10	11
	No	5	0	1
	Omit/MD	9/0	24/0	1/0
b. Class action?	Yes	10	3	5
	No	16	6	7
	Omit/MD	9/0	24/1	1/0
c. Access?	Yes	22	9	12
	No	4	0	0
	Omit/MD	9/0	24/1	1/0
22a. Information to accreditation agencies?	Yes	21	11	7
	No	12	22	6
	MD	2	1	0
	Formal	8	2	1
	Informal	10	8	6
	Omit	12	22	6
	MD	5	2	0
b. Information to other states?	Yes	19	13	8
	No	15	19	5
	MD	1	2	0
	Formal	6	2	2
	Informal	8	10	6
	Omit	15	19	5
	MD	6	3	0
c. Information to USOE?	Yes	19	8	5
	No	15	25	8
	MD	1	1	0
	Formal	7	4	2
	Informal	8	3	3
	Omit	15	25	8
	MD	5	2	0

d. federal government agencies (other than USOE, including VA, INS, etc.)?

____ Yes ____ No

If Yes, ____ Formal ____ Informal

23. Have any complaints been received in the past year? ____ Yes ____ No

If Yes, about how many from:

____ complainants (directly)
____ other agencies, sources (indirectly)
____ Total (approximate)

a. Describe the frequency and form of complaints. *(NOTE: We want to know what practices are most complained about. Ask the question, "About what percent of the complaints mention ________ practices." The percentages will not total 100%.)*

Frequency	Form *(check one)*		
	Mostly oral	Mostly written	Both oral and written
(1) refund practices ____%	____	____	____
(2) advertising practices ____%	____	____	____
(3) admission practices ____%	____	____	____
(4) disclosure in written documents ____%	____	____	____
(5) instructional staff stability ____%	____	____	____
(6) financial stability ____%	____	____	____
(7) instructional programs and facilities ____%	____	____	____
(8) recordkeeping practices ____%	____	____	____
(9) other *(describe)* ____%	____	____	____

b. Describe the complaint follow-up. How many:

(1) were not followed up? ____%
(2) were followed up and resolution is pending? ____%
(3) were followed up and resolved informally? ____%
(4) were used as a basis for formal investigation and resolution through hearings and/or court actions? ____%

(NOTE: estimated percentages should total 100%.)

Variable		NDG (N = 35)	DS (N = 34)	BOTH (N = 13)
22d. Information to VA, other federal agencies?	Yes	26	15	9
	No	6	18	4
	MD	3	1	0
	Formal	15	8	6
	Informal	8	6	2
	Omit	6	18	4
	MD	6	2	1
23. Any complaints?	Yes	35	18	12
	No	0	16	1
	MD	0	0	0
Average direct *(N)*		25.9 *(33)*	15.1 *(15)*	34.7 *(12)*
Average indirect *(N)*		12.6 *(33)*	3.4 *(15)*	27.2 *(12)*
Average total *(N)*		40.3 *(34)*	21.2 *(18)*	61.8 *(12)*
a. Average complaint topic percents *(N)*	(1)	41.6 *(34)*	34.4 *(15)*	41.5 *(12)*
	(2)	15.0 *(34)*	4.1 *(15)*	14.9 *(12)*
	(3)	2.9 *(34)*	6.3 *(15)*	7.5 *(12)*
	(4)	4.8 *(34)*	1.6 *(15)*	2.9 *(12)*
	(5)	6.4 *(34)*	2.1 *(15)*	6.2 *(12)*
	(6)	2.6 *(34)*	4.7 *(15)*	5.7 *(12)*
	(7)	16.0 *(34)*	33.3 *(15)*	18.3 *(12)*
	(8)	2.4 *(34)*	6.5 *(15)*	2.8 *(12)*
	(9)	6.0 *(34)*	9.0 *(15)*	0.7 *(12)*
b. Average follow-up percents *(N)*	(1)	1.1 *(33)*	8.3 *(18)*	0.2 *(12)*
	(2)	6.2 *(33)*	6.1 *(18)*	2.5 *(12)*
	(3)	82.8 *(33)*	83.4 *(18)*	88.2 *(12)*
	(4)	9.6 *(33)*	1.6 *(18)*	9.2 *(12)*

24. Indicate the nature of this agency's relationships with other state agencies.

	Check if no such agency in this state	Check one relationship if there is an agency.			
		None	Informal	Formal	Same Agency
a. Office of the Governor	1	2	3	4	5
b. Legislative Body					
c. Attorney General's Office					
d. Office of the Secretary of State					
e. Office of Consumer Affairs					
f. Veterans Administration state approving agency (or agencies)					
g. State Board of Vocational Education					
h. State Department of Education (or Higher Education)					
i. state postsecondary education coordinating (1202) commission (if any)					
j. state governing board for postsecondary or higher education (if different from i)					
k. state planning board for postsecondary or higher education (if different from i or j)					

24. Types of relationships with respondent agency

Variable	NDG (N = 35)						DG (N = 34)						BOTH (N = 13)					
	1	2	3	4	5		1	2	3	4	5		1	2	3	4	5	
a.	1	6	15	13	0		0	5	8	21	0		0	2	3	8	0	
b.	0	6	14	15	0		0	4	8	22	0		0	0	4	9	0	
c.	0	0	4	31	0		0	1	10	23	0		0	0	4	9	0	
d.	0	11	16	8	0		1	7	8	18	0		0	3	3	7	0	
e.	0	1	20	13	1		2	8	19	5	0		2	1	8	2	0	
f.	0	0	12	19	4		0	4	16	11	3		0	0	7	3	3	
						?												
g.	3	8	10	9	4	1	2	8	13	9	2		0	1	6	4	2	
						?												
h.	1	2	11	13	7	1	0	3	8	14	9		1	1	2	5	4	
						?												
i.	1	9	16	4	3	2	2	2	11	8	11		2	2	4	3	2	
						same as i						same as i						same as i
j.	6	5	11	3	2	8	9	1	2	4	8	10	0	3	4	3	1	2
						same as i or j						same as i or j						same as i or j
k.	12	3	5	2	2	11	10	0	2	3	7	12	2	2	1	1	1	6

25. Indicate the nature of agency's relationships with the following agencies.

	Check if no such agency in this state	Check one relationship if there is an agency.		
		None	Informal	Formal
a. institutional accrediting bodies	1	2	3	4
b. specialized school or program accrediting bodies				
c. Better Business Bureaus				
d. state associations of school administrators, operators, owners, etc.				
e. consumer interest groups				

25. Types of relationships with respondent agency

Variable	NDG (N = 35)					DG (N = 34)					BOTH (N = 13)			
	1	2	3	4		1	2	3	4		1	2	3	4
a.	1	10	13	11		0	0	22	12		0	2	8	3
					?									
b.	3	8	17	6	1	0	10	19	5		1	5	5	2
c.	3	3	28	1		0	17	17	0		0	4	8	1
										?				
d.	2	8	21	4		1	13	12	7	1	0	1	10	2
e.	2	12	20	1		0	15	19	0		1	8	3	1

26. Does agency have any specific written procedures for requesting advice or assistance from the following:

a. members of the general public? ___ Yes ___ No. If Yes, describe.

b. consumer interest groups? ___ Yes ___ No. If Yes, describe.

c. students or student associations? ___ Yes ___ No. If Yes, describe.

d. legal associations (e.g., bar associations) ___ Yes ___ No. If Yes, describe.

27. Does agency regularly supply any of the following to the general public about the schools over which it exercises authority.

a. lists of approved schools? ___ Yes ___ No

b. lists of schools whose authorizations to operate were revoked or limited?

___ Yes ___ No

c. other information about school policies or authorization status?

___ Yes ___ No If Yes, describe.

d. information about student consumer rights? ___ Yes ___ No. If Yes, describe.

Variable		NDS (N = 35)	DS (N = 34)	BOTH (N = 13)
26a. Advice from general public?	Yes	3	6	1
	No	32	28	12
	ND	0	0	0
b. Advice from consumer groups?	Yes	4	3	0
	No	31	31	13
	ND	0	0	0
c. Advice from students?	Yes	1	5	1
	No	34	29	12
	ND	0	0	0
d. Advice from legal associations?	Yes	0	2	0
	No	35	32	13
	ND	0	0	0
27a. Supply lists of approved schools?	Yes	29	27	10
	No	6	7	3
	ND	0	0	0
b. Supply lists of revoked schools?	Yes	5	7	3
	No	30	27	10
	ND	0	0	0
c. Other information?	Yes	13	11	4
	No	21	23	9
	ND	1	0	0
d. Student consumer rights information?	Yes	8	7	5
	No	27	27	8
	ND	0	0	0

28. Has agency ever disseminated information about denial, suspension, or revocation of an institution's authorization to any of the following.

	Yes	No	If Yes	Check one: Required	Check one: Discretionary	Check one: Formal	Check one: Informal
a. the public media?	___	___		___	___	___	___
b. law enforcement agencies in your state?	___	___		___	___	___	___
c. government agencies in other states responsible for authorizing and/or overseeing schools which might be operating in those states?	___	___		___	___	___	___
d. federal government agencies (USOE)?	___	___		___	___	___	___
e. federal government agencies (other than USOE, including VA, INS, etc.)?	___	___		___	___	___	___

29. Does this state have a public meeting/open records act or similar "sunshine" law?

____ Yes ____ No

a. *If Yes*, describe the extent to which the laws have been interpreted to apply to state authorizing and oversight functions (e.g., is a site visit report a public document).

30. Are institutions required to notify the agency if there is a change in institutional ownership? ____ Yes ____ No

If Yes,

a. how is "ownership change" defined?

b. does an ownership change affect an institution's status with regard to authorization to operate? ____ Yes ____ No *If Yes*, describe.

Variable		NDG (N = 35)	DG (N = 34)	BOTH (N = 13)
28. Information ever disseminated to				
a. media?	Yes	17	14	8
	No	18	19	5
	MD	0	1	0
b. law enforcement?	Yes	14	12	7
	No	21	21	6
	MD	0	1	0
c. other states?	Yes	18	15	9
	No	17	18	4
	MD	0	1	0
d. USOE?	Yes	15	14	8
	No	20	19	5
	MD	0	1	0
e. other feds?	Yes	24	15	9
	No	11	18	4
	MD	0	1	0
29. Sunshine law?	Yes	29	30	12
	No	5	3	1
	?	1	0	0
	MD	0	1	0
a. *Answers tabulated separately*				
30. Change of ownership notification?	Yes	33	24	13
	No	2	10	0
	MD	0	0	0
a. *Answers tabulated separately*				
b. affect status?	Yes	29	14	11
	No	4	10	2
	Omit	2	10	0
	MD	0	0	0

B. Institutional Policies and Practices

1. Check (✓) if agency can (has authority to) prohibit each of the following categories of institutional practices which have been identified as abusive to students. Also check which are (actually have been) prohibited or regulated.

Has Authority	Actually Prohibits	
____	____	a. Inadequate institutional refund policies and practices (e.g., a school requires prospective students to pay tuition, room and board charges, or application fees before starting classes, and has either an unfair or nonexistent policy for refunding these charges.)
____	____	b. Misleading advertising practices (e.g., an institution uses fraudulent or misleading advertising about its courses or programs to attract students.)
____	____	c. Deceptive admission practices (e.g., an institution "pressures" prospective students into enrolling through unscrupulous recruiting practices.)
____	____	d. Inadequate disclosure in documents (e.g., an institution fails to furnish students and prospective students with a catalog, or other booklet that serves as a catalog, providing essential information on the school's courses/programs and related educational policies.)
____	____	e. Inability to maintain instructional staff stability (e.g., an institution makes a practice of continually replacing its instructors after a course or program has begun.)
____	____	f. Inability to maintain financial stability (e.g., an institution does not undergo regular certified audits and fails to maintain sufficient reserve funds to meet standard contingencies such as tuition refund requests.)
____	____	g. Inadequate instructional programs and facilities (e.g., an institution fails to keep its occupational preparation curricula and facilities current, e.g., does not use advisory committees or carry out regular reviews.)
____	____	h. Faulty recordkeeping practices (e.g., an institution fails to maintain standard kinds of academic information on its students, and/or does not ensure the availability of these records.)

Variable	NDG (N = 35)		DG (N = 34)		BOTH (N = 13)	
B. Policies						
1. Authority -- # checked	Has	Acts	Has	Acts	Has	Acts
a. refunds?	34	30	20	11	13	13
b. advertising?	34	33	28	15	13	11
c. recruiting?	33	24	23	7	13	12
d. disclosure?	29	19	25	12	12	9
e. staff stability?	23	13	24	11	10	6
f. financial stability?	31	22	27	12	13	11
g. instructional programs?	30	20	29	14	13	10
h. records?	29	20	26	12	13	11

2. For each practice above where you indicated staff has exercised regulatory responsibility, indicate on the next page how many times each designated type of action has been initiated in the past year (1976):

Type of Abuse	# of Informal Agency Actions (e.g., informal hearings, letter sent) Initiated	# of Formal Agency Actions (e.g., formal hearings, revoking license) Initiated	# of Court Actions Initiated
a. Refund Practices			
b. Advertising Practices			
c. Admission Practices			
d. Disclosure in Documents			
e. Instructional Staff Stability			
f. Financial Stability			
g. Instructional Programs and Facilities			
h. Recordkeeping Practices			
i. Other or a combination of abuses (please describe) ______ ______			
Total ______			

NOTE: The intent of this item is to arrive at a simple tabulation of types of enforcement actions initiated by this agency, either alone or in cooperation with other agencies (e.g., Attorney General's office). If a particular problem in one school was the topic of an informal hearing, a formal hearing, and a court action, three actions would be tabulated.

Variable	NDG (N = 35)			DG (N = 34)			BOTH (N = 13)		
	Inf	For	Ct	Inf	For	Ct	Inf	For	Ct
2. Average # of actions (N)									
a. refunds?	7.2 (32)	0.2 (33)	0.2 (33)	3.3 (30)	0.0 (32)	0 (31)	3.6 (12)	0.8 (13)	0.1 (13)
b. advertising?	3.0 (32)	0.0 (33)	0 (33)	0.2 (30)	0 (31)	0.0 (31)	7.9 (12)	0.2 (13)	0.1 (13)
c. recruiting?	0.6 (32)	0.1 (33)	0 (33)	0.1 (30)	0 (31)	0 (31)	3.2 (12)	0.2 (13)	0 (13)
d. disclosure?	2.6 (32)	0.2 (33)	0.1 (33)	0.2 (30)	0.0 (31)	0 (31)	2.4 (12)	0.3 (13)	0 (13)
e. staff stability?	0.7 (32)	0.0 (33)	0 (33)	0.3 (30)	0.0 (31)	0 (31)	3.8 (12)	0.2 (13)	0 (13)
f. financial stability?	0.7 (32)	1.5 (33)	0.1 (33)	0.6 (30)	0.1 (31)	0 (31)	5.3 (12)	0.8 (13)	0 (13)
g. programs?	2.1 (32)	0.1 (33)	0.0 (33)	0.5 (30)	0.1 (31)	0 (31)	3.2 (12)	0.5 (13)	0 (13)
h. recordkeeping?	1.4 (32)	0.1 (33)	0 (33)	0.1 (30)	0.0 (31)	0 (31)	3.4 (12)	0.2 (13)	0 (13)
i. combination?	1.2 (32)	3.8 (33)	0.5 (33)	0.8 (30)	0 (31)	0.1 (31)	0.9 (12)	1.0 (13)	0.2 (13)
Total	19.4 (32)	6.1 (33)	0.8 (33)	5.9 (33)	0.3 (31)	0.1 (31)	36.8 (11)	4.2 (13)	0.4 (13)

C. Desired Assistance

Record the rating of each of the possible federal assistance strategies shown on the list below. Use a scale of from 1 to 5, where 1 = no potential benefit, 2 = small, 3 = moderate, 4 = high, and 5 = great potential benefit.

____ 1. Establish a federal centralized clearinghouse for sharing information among state agencies about institutional approval status, student complaints, etc.

____ 2. Create an office in USOE to handle liaison between USOE and state authorizing and/or regulating agencies.

____ 3. Provide federal operating funds to state agencies for carrying out institutional inspection functions to certify institutional eligibility for federal postsecondary student assistance programs. (VA Model)

____ 4. Provide planning and development funds to states for developing a state plan to carry out institutional inspection functions.

____ 5. Establish a program for the federal government to match state monies spent to install or augment institutional inspection functions.

____ 6. Provide research and development funds for supporting research on topics of interest to states in eliminating institutional abuses to students.

____ 7. Provide operating funds to create a state ombudsman's office for handling educational consumer complaints about postsecondary institutions.

____ 8. Propose new federal legislation to extend the Mondale Amendment to private institutions in states which are willing to pass minimum standards for educational consumer protection.

____ 9. Award funds to independent contractors for preparation of inservice education programs for state agency staff on the following topics:

____a. implementing school inspection functions

____b. case studies based on experience of other states

____c. explanation of how to apply ECS Model Legislation

____d. hold state/regional or national conferences to promote mutual communications

__10. Other possible strategies not listed above:

____ a. ________________________________

____ b. ________________________________

____ c. ________________________________

____ d. ________________________________

etc.

Variable	NDG (N = 35)		DG (N = 34)		BOTH (N = 13)	
C. Average for federal assistance strategies *(N)*		Ranking		Ranking		Ranking
1. clearinghouse	2.97 *(35)*	4.5	2.88 *(33)*	2.5	3.08 *(13)*	6
2. liaison agency	2.40 *(33)*	11	2.22 *(32)*	11	3.38 *(13)*	3
3. funds for operations	3.47 *(34)*	1	2.73 *(33)*	5	3.46 *(13)*	1
4. funds for planning and development	2.97 *(35)*	4.5	2.67 *(33)*	6	2.38 *(13)*	10
5. matching funds for operations	3.12 *(34)*	2	2.85 *(33)*	4	3.31 *(13)*	4
6. r and d sponsorship	2.91 *(35)*	7	2.94 *(33)*	1	3.15 *(13)*	5
7. funds for ombudsman's office	2.42 *(33)*	10	2.16 *(32)*	12	2.00 *(13)*	12
8. Mondale to include private institutions	3.06 *(34)*	3	2.47 *(32)*	9	3.00 *(13)*	7.5
9. inservice education on:						
a. school inspections	2.62 *(29)*	8	2.48 *(31)*	8	2.83 *(12)*	9
b. case studies	2.52 *(29)*	9	2.57 *(30)*	7	3.00 *(12)*	7.5
c. ECS application	2.25 *(27)*	12	2.30 *(28)*	10	2.10 *(10)*	11
d. conferences	2.86 *(34)*	6	2.88 *(33)*	2.5	3.42 *(12)*	2
10. *Answers tabulated separately*						

D. Critical Incidents

Record incidents on separate pieces of paper, by number and letter.

1. Preventing Potential Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

   b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was unsuccessful?

2. Correcting Actual Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to correct the actual abuse of a student by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

D. Critical Incidents

1. *Answers tabulated separately*

2. *Answers tabulated separately*

b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to correct the actual abuse of a student by a school.

What were the circumstances?

How and when did it come to your attention?

Why did you think (a) student(s) was (were) being abused?

What type of school was involved?

What did your agency do?

Why do you feel the effort was unsuccessful?

b. *Answers tabulated separately*

APPENDIX M

SUMMARY OF RESPONSES TO TELEPHONE INTERVIEW GUIDE FOR AGENCIES WITH RESPONSIBILITY FOR PUBLIC INSTITUTIONS

M-1

INTERVIEW GUIDE FOR AGENCIES OVERSEEING PUBLIC INSTITUTIONS

State: ______________________ Date: ______________

Interviewee: ______________________ Start time: ______________

Interviewer: ______________________ Finish time: ______________

Are any changes required in the abstract of laws/regulations for this state?

____ Yes ____ No

If *Yes*, make sure they are recorded on our copy here or otherwise documented so that the final abstracts can be revised.

Indicate by checking (✓) the sector (or sectors) which are being covered by this respondent.

____ Four-year degree granting
____ Two-year degree granting
____ Non-degree granting

A. Agency Functions

1. Read the definitions as written in the questionnaire and check (✓) those which the respondent says are performed or participated in by his/her agency. *(NOTE: If the state's law exempts certain institutions from oversight, the function is not performed with respect to those institutions.)*

___ a. institutional authorizing; actually called ______________________

___ b. institutional governing; actually called ______________________

___ c. course or program authorizing; actually called ______________________

___ d. course or program regulating; actually called ______________________

___ e. certifying institutional eligibility (federal programs); actually called ______

___ f. certifying institutional eligibility (state programs); actually called ______

Discontinue if none are checked above.

11/29/77

Summary of Responses

Variable		4-year DG (N = 16)	2-year DG (N = 17)	NDG (N = 19)	Other (N = 50)
Average time for interview, in minutes *(N)*		53.5 *(16)*	55.4 *(17)*	48.8 *(18)*	61.4 *(48)*
Changes?	Yes	2	4	3	13
	No	10	12	12	33
	?	1	0	1	2
	MD	3	1	3	2
Sectors -- # checked					
	4-year	16	0	0	38
	2-year	0	17	0	12
	NDG	0	0	19	25
A. Agency Functions					
1. Functions Performed -- # Yes					
	a.	3	8	12	24
	b.	13	13	16	30
	c.	15	14	17	42
	d.	12	11	16	35
	e.	1	1	10	6
	f.	2	3	3	16

M-2

2. Check the additional functions performed.

___ a. VA course approval
___ b. specialized program approval
___ c. program planning and coordination
___ d. budgetary review
___ e. other *(describe)*

3. Record the approximate numbers of institutions for or to which each function is performed.

Authorizing and/or regulating functions

# of institutions

__________ a. institutional authorizing
__________ b. institutional governing
__________ c. course authorizing
__________ d. course regulating
__________ e. federal program eligibility
__________ f. state program eligibility

Additional functions

# of institutions

__________ a. VA course approval
__________ b. specialized program approval
__________ c. program planning and coordination
__________ d. budgetary review
__________ e. other *(as described above)*

4. Number of persons employed (average FTE): ______________________________

Figures are for *(check one)*: ___ 1976 (calendar)
___ 1976 (fiscal)
___ other *(describe)*

5. Are on-site school visitations made? ___ Yes ___ No
If No, go on to item 8.

Variable		4-year DG (N = 16)	2-year DG (N = 17)	NDG (N = 19)	Other (N = 50)
2. Additional Functions Performed -- # Yes	a.	1	1	9	14
	b.	6	9	9	18
	c.	10	8	8	33
	d.	12	14	14	37
	e.	3	9	7	20
3. Average number of institutions for primary functions *(N)*					
	a.	0 *(3)*	1.6 *(7)*	7.5 *(12)*	4.2 *(22)*
	b.	10.5 *(13)*	18.4 *(13)*	25.6 *(15)*	17.4 *(30)*
	c.	9.0 *(15)*	21.1 *(14)*	23.6 *(16)*	17.9 *(41)*
	d.	8.8 *(13)*	23.8 *(11)*	32.2 *(15)*	21.9 *(34)*
	e.	3.0 *(1)*	2.0 *(1)*	25.0 *(9)*	10.7 *(6)*
	f.	41.5 *(2)*	14.5 *(2)*	30.0 *(3)*	16.9 *(15)*
Average number of institutions for additional functions *(N)*	a.	101.0 *(1)*	2.0 *(1)*	49.6 *(9)*	86.3 *(13)*
	b.	5.8 *(6)*	29.4 *(8)*	29.9 *(7)*	20.2 *(16)*
	c.	43.0 *(10)*	34.9 *(7)*	19.0 *(7)*	26.4 *(32)*
	d.	10.5 *(12)*	18.4 *(13)*	22.9 *(14)*	19.1 *(35)*
	e.	11.0 *(3)*	36.5 *(6)*	31.0 *(7)*	33.7 *(21)*
4. Average FTE *(N)*		74.27 *(13)*	45.00 *(16)*	96.80 *(17)*	115.56 *(45)*
Fiscal Year for FTE Data	CY76	0	0	1	1
	FY76	11	9	5	23
	CY77	0	0	1	0
	FY77	2	6	8	18
	?	0	0	1	0
	MD	3	2	3	8
5. Site visitations?	Yes	12	14	16	33
	No	3	2	2	12
	?	0	0	0	0
	MD	1	1	1	5

M-3

6. Record the responses to each of the following questions with regard to on-site authorization school visitations.

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?
___ Yes ___ No
If *Yes*, please describe.

c. What is the average duration of the site visits?

d. Do these site visits occur in conjunction with visits for other purposes?
___ Yes ___ No If *Yes*,
(1) VA course approval site visits ___ Yes ___ No
(2) private accreditation agency site visits ___ Yes ___ No
(3) other *(describe)*

e. Are there any fixed educational standards or criteria which the site visit team seeks to apply? ___ Yes ___ No

Variable		4-year DG (N = 16)	2-year DG (N = 17)	NDG (N = 19)	Other (N = 50)
6a. *Answers tabulated separately*					
b. Required qualifications, authorizations?	Yes	6	4	10	15
	No	2	6	5	9
	Omit	3	2	2	12
	MD	5	5	2	14
c. Average duration in days, authorization visits *(N)*		1.50 *(7)*	2.62 *(4)*	1.07 *(8)*	2.49 *(17)*
d. Conjunction?	Yes	1	2	3	6
	No	6	8	12	18
	Omit	3	2	2	12
	MD	6	5	2	14
d(1) VA	Yes	0	1	1	2
	No	0	1	1	4
	Omit	9	10	14	30
	MD	7	5	3	14
d(2) accreditation	Yes	1	0	2	6
	No	0	2	1	0
	Omit	9	10	14	30
	MD	6	5	2	14
d(3) other	Yes	0	0	0	0
	No	0	0	0	1
	Omit	9	10	14	30
	MD	7	7	5	19
e. Standards or criteria?	Yes	6	3	11	18
	No	2	7	4	6
	Omit	3	2	2	12
	MD	5	5	2	14

7. Record the following, with regard to oversight on-site visits. *If same as above, check here (_____) and ask only item "d."*

a. By whom are the site visits made?

b. Is there a required level of education or experience for the site-visitors?
____ Yes ____ No
If *Yes*, please describe.

c. What is the average duration of the site visits?

d. How frequently are site visits made?

e. Do these site visits occur in conjunction with visits for other purposes?
____ Yes ____ No *If Yes*,
(1) VA course approval site visits ____ Yes ____ No
(2) private accreditation agency site visits ____ Yes ____ No
(3) other *(describe)*

M-4

f. Are there any fixed educational standards or criteria which the site visit team seeks to apply? ____ Yes ____ No

8. Are there variations or distinctions in procedures for:

a. accredited schools? ____ Yes ____ No

Variable		4-year DG (N = 16)	2-year DG (N = 17)	NDG (N = 19)	Other (N = 50)
7a. *Answers tabulated separately*					
b. Required qualifications, oversight?	Yes	8	9	14	23
	No	3	3	2	5
	MD	5	5	3	22
c. Average duration in days, oversight visits *(N)*		1.78 *(8)*	2.02 *(12)*	1.90 *(16)*	1.96 *(20)*
d. Average frequency in years, between site visits *(N)*		2.87 *(6)*	0.78 *(6)*	2.62 *(13)*	2.31 *(13)*
e. Conjunction?	Yes	3	7	6	10
	No	8	6	10	18
	Omit	3	2	2	12
	MD	2	2	1	10
e(1) VA	Yes	0	2	3	2
	No	1	2	1	7
	Omit	11	8	12	30
	MD	4	5	3	11
e(2) accreditation	Yes	2	4	5	8
	No	1	1	1	1
	Omit	11	8	12	30
	MD	2	4	1	11
f. Standards or criteria?	Yes	5	8	14	21
	No	6	5	1	7
	Omit	3	2	2	12
	MD	2	2	2	10
8a. Distinctions for accredited schools?	Yes	1	1	0	5
	No	14	15	17	38
	MD	1	1	2	7

a'. If *Yes*, is there a distinction for "recognized" accreditation agencies?
____ Yes ____ No How is "recognized" defined?

b. "nontraditional" programs? ____ Yes ____ No
What variations/distinctions?

c. out-of-state institutions? ____ Yes ____ No
What variations/distinctions?

c'. Are institutions operating only on federal government property (e.g., on military bases) also so affected? ____ Yes ____ No

d. state institutions or programs operating outside the state?
____ Yes ____ No
What variations/distinctions?

e. correspondence institutions? ____ Yes ____ No
What variations/distinctions?

f. contracted programs?
What variations/distinctions?

Variable		4-year DG (N = 16)	2-year DG (N = 17)	NDG (N = 19)	Other (N = 50)
a'. Recognized?	Yes	0	1	0	1
	No	0	0	0	0
	Omit	14	15	17	38
	MD	2	1	2	11
b. Nontraditional?	Yes	7	2	1	7
	No	7	13	16	37
	?	0	1	0	0
	MD	2	1	2	6
c. Out-of-state?	Yes	3	0	0	10
	No	11	16	15	34
	MD	2	1	4	6
c'. Military institutions?	Yes	0	0	0	2
	No	3	0	0	6
	Omit	11	16	15	34
	MD	2	1	4	8
d. Outside state?	Yes	3	1	0	3
	No	12	14	14	40
	MD	1	2	5	7
e. Correspondence?	Yes	2	0	0	6
	No	13	15	17	38
	MD	1	2	2	6
f. Contracted? (degree only)	Yes	4	2	0	8
	No	10	14	0	32
	Omit	0	0	17	2
	MD	2	1	2	8

9. Is there a central complaint handling system or procedure? ___ Yes ___ No
If *Yes*, does it include:

a. a requirement that the complaining party file a formal written notice of the complaint before it can be investigated? ___ Yes ___ No

b. a method for bringing class action suits by students? ___ Yes ___ No

c. authorization for students (or their legal representatives) to have access to the agency's records for bringing suits? ___ Yes ___ No

10. Is institutional information derived from investigations or student complaints sent by agency to any of the following:

a. accreditation agencies? ___ Yes ___ No. If *Yes*, ___ Formal ___ Informal

b. government agencies in other states which perform school authorizing/oversight? ___ Yes ___ No. If *Yes*, ___ Formal ___ Informal

c. federal government agencies (USOE)? ___ Yes ___ No
If *Yes*, ___ Formal ___ Informal

Variable		4-year DG (N = 16)	2-year DG (N = 17)	NDG (N = 19)	Other (N = 50)
9. Central complaint handling system?	Yes	5	3	5	12
	No	10	13	13	32
	MD	1	1	1	6
a. Written notice?	Yes	4	0	5	7
	No	0	2	0	4
	Omit	10	13	13	32
	MD	2	1	1	7
b. Class action?	Yes	1	1	5	3
	No	3	1	0	5
	Omit	10	13	13	32
	MD	2	2	1	10
c. Access?	Yes	5	3	4	9
	No	0	0	1	2
	Omit	10	13	13	32
	MD	1	1	1	7
10. a. Information to accreditation agencies?	Yes	0	1	0	9
	No	15	14	17	35
	MD	1	2	2	6
	Formal	0	0	0	1
	Informal	0	1	0	6
	Omit	15	14	17	35
	MD	1	2	2	8
b. Information to other states?	Yes	1	0	0	5
	No	14	15	17	39
	MD	1	2	2	6
	Formal	0	0	0	1
	Informal	1	0	0	3
	Omit	14	15	17	39
	MD	1	2	2	7
c. Information to USOE?	Yes	0	2	3	6
	No	15	13	14	38
	MD	1	2	2	6
	Formal	0	0	0	4
	Informal	0	2	2	1
	Omit	15	13	14	38
	MD	1	2	3	7

d. federal government agencies (other than USOE, including VA, INS, etc.)?

____ Yes ____ No

If Yes, ____ Formal ____ Informal

Variable		4-year DG (N = 16)	2-year DG (N = 17)	NDG (N = 19)	Other (N = 50)
d. Information to VA, other federal agencies?	Yes	1	1	5	12
	No	14	14	12	32
	MD	1	2	2	6
	Formal	1	0	2	4
	Informal	0	1	1	7
	Omit	14	14	12	32
	MD	1	2	4	7

11. Have any complaints been received in the past year? ____ Yes ____ No

If *Yes*, about how many from:

____ complainants (directly)

____ other agencies, sources (indirectly)

____ Total (approximate)

a. Describe the frequency and form of complaints. *(NOTE: We want to know what practices are most complained about. Ask the question, "About what percent of the complaints mention __________ practices." The percentages will* *__not__* *total 100%.)*

__Frequency__	__Form__ *(check one)* Mostly oral	 Mostly written	 Both oral and written
(1) refund practices ____%	____	____	____
(2) advertising practices ____%	____	____	____
(3) admission practices ____%	____	____	____
(4) disclosure in written documents ____%	____	____	____
(5) instructional staff stability ____%	____	____	____
(6) financial stability ____%	____	____	____
(7) instructional programs and facilities ____%	____	____	____
(8) recordkeeping practices ____%	____	____	____
(9) other *(describe)* ____%	____	____	____

b. Describe the complaint follow-up. How many:

(1) were not followed up? ____%

(2) were followed up and resolution is pending? ____%

(3) were followed up and resolved informally? ____%

(4) were used as a basis for formal investigation and resolution through hearings and/or court actions? ____%

Estimated percentages should total 100%.

__Variable__		__4-year DG__ (N = 16)	__2-year DG__ (N = 17)	__NDG__ (N = 19)	__Other__ (N = 50)
11. Any complaints?	Yes	10	12	11	27
	No	1	4	7	15
	?	0	0	0	2
	MD	5	1	1	6
Average direct *(N)*		10.8 *(5)*	22.2 *(11)*	8.2 *(8)*	13.6 *(21)*
Average indirect *(N)*		6.8 *(5)*	5.0 *(7)*	3.8 *(4)*	19.0 *(12)*
Average total *(N)*		17.6 *(5)*	25.4 *(11)*	8.1 *(10)*	26.1 *(22)*
a. Average complaint topic percents *(N)*					
	(1)	0 *(5)*	24.0 *(10)*	0 *(10)*	17.4 *(20)*
	(2)	0.2 *(5)*	2.0 *(10)*	18.0 *(10)*	0.1 *(20)*
	(3)	55.0 *(5)*	36.8 *(10)*	37.0 *(10)*	34.6 *(20)*
	(4)	0 *(5)*	0 *(10)*	0 *(10)*	5.6 *(20)*
	(5)	6.0 *(5)*	3.0 *(10)*	1.0 *(10)*	2.8 *(20)*
	(6)	0.2 *(5)*	0 *(10)*	0 *(10)*	2.2 *(20)*
	(7)	28.6 *(5)*	20.0 *(10)*	35.0 *(10)*	14.6 *(20)*
	(8)	2.6 *(5)*	2.5 *(10)*	0 *(10)*	3.0 *(20)*
	(9)	0.2 *(5)*	8.7 *(10)*	9.0 *(10)*	14.7 *(20)*
b. Average follow-up percents *(N)*					
	(1)	12.6 *(8)*	0 *(12)*	0 *(10)*	5.4 *(23)*
	(2)	3.9 *(8)*	0 *(12)*	0 *(10)*	0.9 *(23)*
	(3)	78.5 *(8)*	98.8 *(12)*	99.5 *(10)*	92.4 *(23)*
	(4)	3.2 *(8)*	1.2 *(12)*	0.5 *(10)*	1.3 *(23)*

12. Indicate the nature of this agency's relationships with other state agencies.

	Check if no such agency in this state	Check one relationship if there is an agency.			
		None	Informal	Formal	Same Agency
a. Office of the Governor	1	2	3	4	5
b. Legislative Body					
c. Attorney General's Office					
d. Office of the Secretary of State					
e. Office of Consumer Affairs					
f. Veterans Administration state approving agency (or agencies)					
g. State Board of Vocational Education					
h. State Department of Education (or Higher Education)					
i. state postsecondary education coordinating (1202) commission (if any)					
j. state governing board for postsecondary or higher education (if different from i)					
k. state planning board for postsecondary or higher education (if different from i or j)					

12. Types of relationships with respondent agency

Variable	4-year DG (N = 16)							2-year DG (N = 17)							NDG (N = 19)							Other (N = 50)						
	1	2	3	4	5		?	1	2	3	4	5		?	1	2	3	4	5		?	1	2	3	4	5		?
a.	0	0	3	11	0		2	0	0	3	13	0		1	0	2	4	11	0		2	0	2	5	38	0		5
b.	0	0	2	12	0		2	0	0	0	16	0		1	0	0	3	14	0		2	0	0	5	40	0		5
c.	0	2	3	9	0		2	0	1	3	12	0		1	0	2	4	12	0		1	0	4	8	33	0		5
d.	1	6	5	2	0		2	2	6	4	3	0		2	0	8	4	4	0		3	2	15	16	12	0		5
e.	3	10	0	1	0		2	1	11	3	1	0		1	0	5	8	3	0		3	4	17	16	3	0		10
f.	0	4	7	3	0		2	0	2	12	2	0		1	0	1	8	5	4		1	0	8	16	18	3		5
g.	1	5	5	3	0		2	1	0	5	7	2		2	0	0	1	10	4		4	6	4	11	20	1		8
h.	0	0	5	7	0		4	0	0	7	7	1		2	1	0	3	5	6		4	0	1	15	19	6		9
i.	1	1	4	6	1		3	1	0	5	8	0		3	1	3	7	6	1		1	4	2	8	15	10		11
						same as i							same as i							same as i							same as i	
j.	4	1	0	1	2	6	2	4	0	0	3	1	8	1	3	1	3	6	0	5	1	13	1	3	8	5	15	5
						same as i or j							same as i or j							same as i or j							same as i or j	
k.	3	0	0	3	1	7	2	2	0	1	2	0	10	2	4	0	2	2	0	10	1	9	1	2	5	3	24	6

13. Indicate the nature of agency's relationships with the following agencies.

	Check if no such agency in this state	Check one relationship if there is an agency.		
		None	Informal	Formal
a. institutional accrediting bodies	1	2	3	4
b. specialized school or program accrediting bodies				
c. Better Business Bureaus				
d. state associations of school administrators, operators, owners, etc.				
e. consumer interest groups				

13. Types of relationships with respondent agency

	1	2	3	4	?	1	2	3	4	?	1	2	3	4	?	1	2	3	4	?
a.	0	2	7	5	2	0	3	6	7	1	0	6	10	2	1	0	6	24	15	5
b.	0	2	10	2	2	0	8	4	4	1	0	9	7	1	2	1	12	24	7	6
c.	0	11	3	0	2	0	11	5	0	1	0	11	6	0	2	1	35	8	1	5
d.	0	3	7	3	3	1	1	11	3	1	0	2	13	3	1	1	12	21	9	7
e.	0	5	6	3	2	0	7	9	0	1	0	10	6	1	2	1	26	17	1	5

B. Institutional Policies and Practices

1. Check (✓) if agency can (has authority to) prohibit each of the following categories of institutional practices which have been identified as abusive to students. Also check which are (actually have been) prohibited or regulated.

Has Authority	Actually Prohibits	
___	___	a. Inadequate institutional refund policies and practices (e.g., a school requires prospective students to pay tuition, room and board charges, or application fees before starting classes, and has either an unfair or nonexistent policy for refunding these charges.)
___	___	b. Misleading advertising practices (e.g., an institution uses fraudulent or misleading advertising about its courses or programs to attract students.)
___	___	c. Deceptive admission practices (e.g., an institution "pressures" prospective students into enrolling through unscrupulous recruiting practices.)
___	___	d. Inadequate disclosure in documents (e.g., an institution fails to furnish students and prospective students with a catalog, or other booklet that serves as a catalog, providing essential information on the school's courses/programs and related educational policies.)
___	___	e. Inability to maintain instructional staff stability (e.g., an institution makes a practice of continually replacing its instructors after a course or program has begun.)
___	___	f. Inability to maintain financial stability (e.g., an institution does not undergo regular certified audits and fails to maintain sufficient reserve funds to meet standard contingencies such as tuition refund requests.)
___	___	g. Inadequate instructional programs and facilities (e.g., an institution fails to keep its occupational preparation curricula and facilities current, e.g., does not use advisory committees or carry out regular reviews.)
___	___	h. Faulty recordkeeping practices (e.g., an institution fails to maintain standard kinds of academic information on its students, and/or does not ensure the availability of these records.)

Variable	4-year DG (N = 16)		2-year DG (N = 17)		NDG (N = 19)		Other (N = 50)	
B. Policies								
1. Authority -- # checked	Has	Acts	Has	Acts	Has	Acts	Has	Acts
a. refunds?	11	7	8	1	8	4	25	12
b. advertising?	11	7	10	3	11	7	32	16
c. recruiting?	11	8	9	1	14	9	27	9
d. disclosure?	11	7	8	2	12	7	29	13
e. staff stability?	10	3	8	1	13	6	23	8
f. financial stability?	10	4	13	5	12	9	31	11
g. instructional programs?	12	6	15	5	18	11	34	20
h. records?	12	7	14	3	15	8	30	15

2. For each practice above where you indicated staff has exercised regulatory responsibility, indicate on the next page how many times each designated type of action has been initiated in the past year (1976):

Type of Abuse	# of Informal Agency Actions (e.g., informal hearings, letter sent) Initiated	# of Formal Agency Actions (e.g., formal hearings, revoking license) Initiated	# of Court Actions Initiated
a. Refund Practices			
b. Advertising Practices			
c. Admission Practices			
d. Disclosure in Documents			
e. Instructional Staff Stability			
f. Financial Stability			
g. Instructional Programs and Facilities			
h. Recordkeeping Practices			
i. Other or a combination of abuses (please describe) ______ ______			
Total ______			

NOTE: The intent of this item is to arrive at a simple tabulation of types of enforcement actions initiated by this agency, either alone or in cooperation with other agencies (e.g., Attorney General's office). If a particular problem in one school was the topic of an informal hearing, a formal hearing, and a court action, three actions would be tabulated.

Variable	4-year DG (N = 16)			2-year DG (N = 17)			NDG (N = 19)			Other (N = 50)		
2. Average # of actions *(N)*	Inf	For	Ct	Inf	For	Ct	Inf	For	Ct	Inf	For	Ct
a. refunds?	1.0 *(1)*	0 *(0)*	0 *(0)*	1.3 *(3)*	0 *(0)*	1.0 *(1)*	4.5 *(2)*	0 *(0)*	0 *(0)*	7.6 *(5)*	0 *(0)*	1.0 *(1)*
b. advertising?	1.0 *(1)*	0 *(0)*	0 *(0)*	1.0 *(1)*	0 *(0)*	0 *(0)*	3.5 *(4)*	0 *(0)*	0 *(0)*	1.6 *(5)*	1.0 *(1)*	0 *(0)*
c. recruiting?	0 *(0)*	0 *(0)*	0 *(0)*	4.5 *(2)*	0 *(0)*	0 *(0)*	3.5 *(2)*	0 *(0)*	0 *(0)*	3.3 *(7)*	0 *(0)*	0 *(0)*
d. disclosure?	1.0 *(1)*	0 *(0)*	0 *(0)*	0 *(0)*	0 *(0)*	0 *(0)*	1.0 *(1)*	0 *(0)*	0 *(0)*	10.0 *(3)*	0 *(0)*	0 *(0)*
e. staff stability?	0 *(0)*	0 *(0)*	0 *(0)*	1.0 *(1)*	0 *(0)*	0 *(0)*	4.5 *(2)*	0 *(0)*	0 *(0)*	1.7 *(3)*	0 *(0)*	0 *(0)*
f. financial stability?	2.0 *(1)*	0 *(0)*	0 *(0)*	2.0 *(1)*	1.0 *(1)*	0 *(0)*	2.0 *(3)*	1.0 *(1)*	1.0 *(1)*	1.0 *(1)*	0 *(0)*	0 *(0)*
g. programs?	2.0 *(1)*	1.0 *(1)*	0 *(0)*	3.7 *(3)*	0 *(0)*	0 *(0)*	8.0 *(2)*	0 *(0)*	0 *(0)*	7.7 *(7)*	0 *(0)*	1.0 *(1)*
h. record-keeping?	2.0 *(1)*	0 *(0)*	0 *(0)*	0 *(0)*	0 *(0)*	0 *(0)*	2.0 *(3)*	0 *(0)*	0 *(0)*	1.2 *(5)*	0 *(0)*	1.0 *(1)*
i. combination?	0 *(0)*	0 *(0)*	0 *(0)*	6.5 *(2)*	5.0 *(1)*	0 *(0)*	1.0 *(1)*	0 *(0)*	1.0 *(1)*	16.0 *(1)*	0 *(0)*	0 *(0)*
Total	4.5 *(2)*	1.0 *(1)*	1.0 *(1)*	8.2 *(5)*	3.0 *(2)*	1.0 *(1)*	8.6 *(8)*	1.0 *(1)*	1.0 *(2)*	13.2 *(13)*	2.0 *(1)*	1.0 *(1)*

C. Desired Assistance

Record the rating of each of the possible federal assistance strategies shown on the list below. Use a scale of from 1 to 5, where 1 = no potential benefit, 2 = small, 3 = moderate, 4 = high, and 5 = great potential benefit.

____ 1. Establish a federal centralized clearinghouse for sharing information among state agencies about institutional approval status, student complaints, etc.

____ 2. Create an office in USOE to handle liaison between USOE and state authorizing and/or regulating agencies.

____ 3. Provide federal operating funds to state agencies for carrying out institutional inspection functions to certify institutional eligibility for federal postsecondary student assistance programs. (VA Model)

____ 4. Provide planning and development funds to states for developing a state plan to carry out institutional inspection functions.

____ 5. Establish a program for the federal government to match state monies spent to install or augment institutional inspection functions.

____ 6. Provide research and development funds for supporting research on topics of interest to states in eliminating institutional abuses to students.

____ 7. Provide operating funds to create a state ombudsman's office for handling educational consumer complaints about postsecondary institutions.

____ 8. Propose new federal legislation to extend the Mondale Amendment to private institutions in states which are willing to pass minimum standards for educational consumer protection.

____ 9. Award funds to independent contractors for preparation of inservice education programs for state agency staff on the following topics:

  ____a. implementing school inspection functions
  ____b. case studies based on experience of other states
  ____c. explanation of how to apply ECS Model Legislation
  ____d. hold state/regional or national conferences to promote mutual communications

____10. Other possible strategies not listed above:

  ____ a. ________________________________
  ____ b. ________________________________
  ____ c. ________________________________
  ____ d. ________________________________
  etc.

Variable	4-year DG (N = 16)	Ranking	2-year DG (N = 17)	Ranking	NDG (N = 19)	Ranking	Other (N = 50)	Ranking
C. Average for federal assistance strategies *(N)*								
1. clearinghouse	2.19 *(16)*	8	2.41 *(17)*	8.5	2.89 *(19)*	11	3.00 *(50)*	3.5
2. liaison agency	1.88 *(16)*	11.5	2.47 *(17)*	6	3.00 *(19)*	10	2.60 *(50)*	11
3. funds for operations	2.12 *(16)*	9	2.71 *(17)*	4	3.84 *(19)*	6.5	3.00 *(50)*	3.5
4. funds for planning and development	2.25 *(16)*	6.5	2.35 *(17)*	10.5	4.00 *(19)*	3	2.98 *(50)*	5.5
5. matching funds for operations	2.31 *(16)*	5	2.35 *(17)*	10.5	3.95 *(19)*	4.5	3.06 *(50)*	1
6. r and d sponsorship	2.62 *(16)*	3	2.59 *(17)*	5	3.16 *(19)*	9	3.02 *(50)*	2
7. funds for ombudsman's office	2.25 *(16)*	6.5	2.12 *(17)*	12	2.11 *(19)*	12	2.72 *(50)*	9
8. Mondale to include private institutions	4.12 *(16)*	1	2.41 *(17)*	8.5	3.95 *(19)*	4.5	2.90 *(50)*	8
9. inservice education on:								
a. school inspections	1.88 *(16)*	11.5	2.82 *(17)*	3	3.84 *(19)*	6.5	2.58 *(50)*	12
b. case studies	2.00 *(16)*	10	2.94 *(17)*	2	3.74 *(19)*	8	2.66 *(50)*	10
c. ECS application	3.14 *(16)*	2	2.44 *(17)*	7	4.21 *(19)*	1	2.96 *(50)*	7
d. conferences	2.50 *(16)*	4	3.00 *(17)*	1	4.16 *(19)*	2	2.98 *(50)*	5.5
10. *Answers tabulated separately*								

D. Critical Incidents

Record incidents on separate pieces of paper, by number and letter.

1. Preventing Potential Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

   b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to prevent the potential abuse of students by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was unsuccessful?

2. Correcting Actual Abuses to Students

   a. Think of a time during the last year when you participated in or became aware of a particularly successful effort by your agency to correct the actual abuse of a student by a school.

      What were the circumstances?

      How and when did it come to your attention?

      Why did you think (a) student(s) was (were) being abused?

      What type of school was involved?

      What did your agency do?

      Why do you feel the effort was successful?

D. Critical Incidents

1. *Answers tabulated separately*

2. *Answers tabulated separately*

b. Think of a time during the last year when you participated in or became aware of a notably unsuccessful effort by your agency to correct the actual abuse of a student by a school. What were the circumstances? How and when did it come to your attention? Why did you think (a) student(s) was (were) being abused? What type of school was involved? What did your agency do? Why do you feel the effort was unsuccessful?	b. *Answers tabulated separately*

APPENDIX N

LISTING OF RESPONSES TO TELEPHONE INTERVIEW GUIDE FOR STATE AGENCIES WITH AUTHORIZING AND OVERSIGHT RESPONSIBILITY FOR PRIVATE NONDEGREE-GRANTING AND DEGREE-GRANTING INSTITUTIONS

Explanation of data codes:

N = agency with nondegree-granting responsibility

D = agency with degree-granting responsibility

B = agency with both nondegree- and degree-granting responsibility

0 = not checked, no, none (for coded items)

1 = checked, yes, some (for coded items)

8 = don't know or required omit (for coded items)

9 = missing data (for coded items)

"all 8" fields (e.g., 88, 888, etc.) indicate required omits (for coded items) or "some, exact value unknown" for quantitative items

"all 9" fields (e.g., 99, 999, etc.) indicate missing data

1 = slight

2 = moderate

3 = extensive

STATE	PROPRIETARY?	A1. AGENCY FUNCTIONS						A2. ADD'L FUNCTIONS					A3. # OF INST.: FUNCTIONS						INST w/o OVERSIGHT?
	Y/N	a	b	c	d	e	f	a	b	b'	c	d	a	b	c	d	e	f	Y/N
AL N	1	0	1	1	1	1	1	1	1	9	0	0	9999	42	171	42	171	50	1
AK N	0	0	1	1	1	1	0	1	1	1	0	0	9999	5	88	88	88	9999	1
AZ B	0	1	1	1	1	1	0	0	1	1	0	1	144	29	119	148	148	9999	0
AR D	1	0	1	1	1	1	1	0	0	0	0	1	9999	0	7	3	7	7	1
AR N	1	0	1	1	1	0	0	0	1	0	0	1	9999	5	104	3	9999	9999	0
CA N	0	0	0	0	1	1	0	1	1	1	0	0	9999	9999	9999	90	1450	9999	0
CA D	0	0	0	0	1	1	0	1	0	0	0	0	9999	9999	9999	30	41	9999	1
CO N	9	0	1	1	1	1	0	0	1	1	0	0	9999	4	70	7	70	9999	0
CT N	0	0	1	1	1	1	0	1	0	0	0	0	9999	61	61	61	61	9999	1
CT D	1	0	1	1	1	1	1	0	0	0	1	1	9999	2	23	23	23	23	9
DE D	1	0	1	1	1	1	0	1	1	1	1	0	9999	0	4	2	4	9999	0
DE N	1	0	1	1	1	1	0	1	1	1	1	0	9999	4	38	6	38	9999	0
DC N	0	1	1	0	0	0	0	0	1	1	0	0	64	64	9999	9999	9999	9999	1
DC D	9	0	1	1	1	1	0	0	0	0	0	0	9999	4	28	5	28	9999	0
FL D	9	0	1	1	1	1	0	0	0	1	0	0	9999	12	54	30	54	9999	0
FL N	1	0	1	1	0	0	0	0	0	1	1	1	9999	128	258	9999	9999	9999	1
GA D	0	0	1	0	0	0	0	0	0	0	1	1	9999	45	9999	9999	9999	9999	1
GA N	1	0	1	1	1	1	0	0	0	1	0	0	9999	19	147	147	147	9999	9
HI N	0	1	0	1	1	0	0	0	1	0	1	0	70	9999	70	70	9999	9999	9
HI D	0	0	1	0	1	0	0	0	0	0	0	0	9999	0	9999	10	9999	9999	9
ID N	0	0	1	1	0	0	0	0	1	1	0	0	9999	39	39	9999	9999	9999	1
IL D	0	0	1	1	1	1	0	0	1	1	0	0	9999	2	124	124	124	9999	9
IL N	1	0	1	1	1	1	0	0	1	9	0	1	9999	15	275	25	275	9999	1
IN B	0	0	1	1	0	0	0	1	1	1	0	0	9999	9999	140	140	9999	9999	1
IA N	1	0	1	1	0	0	0	0	0	0	0	0	9999	6	30	9999	9999	9999	1
KS N	0	0	1	1	1	0	0	0	1	1	0	0	9999	6	49	0	9999	9999	0
KS D	9	0	1	0	1	1	0	0	0	0	0	0	9999	0	9999	5	25	9999	0
KY D	1	0	1	1	1	0	0	0	1	0	0	0	9999	45	45	45	9999	9999	9
KY N	1	0	1	1	1	1	1	0	1	1	0	1	9999	120	120	9	9	9	1
LA B	1	0	1	1	1	1	0	0	1	1	0	0	9999	100	100	100	100	9999	0
ME D	1	0	1	1	1	1	1	0	0	0	0	1	9999	3	9	9	9	31	0
ME N	1	0	1	1	0	0	0	1	1	1	0	0	9999	0	18	9999	9999	9999	0

STATE	PROPRIETARY?	A1. AGENCY FUNCTIONS						A2. ADD'L FUNCTIONS					A3. # OF INST.: FUNCTIONS						INST w/o OVERSIGHT?
	Y/N	a	b	c	d	e	f	a	b	b'	c	d	a	b	c	d	e	f	Y/N
MD D	9	1	1	1	1	1	0	0	1	0	0	0	0	0	23	5	23	9999	0
MD N	1	0	1	1	1	1	0	0	1	1	1	0	9999	10	160	10	160	9999	0
MA N	9	0	1	1	1	1	0	0	1	1	0	1	8888	10	120	10	120	9999	0
MA D	1	1	0	1	1	0	0	1	0	0	0	0	63	9999	63	63	9999	9999	1
MI N	0	0	1	1	1	0	0	0	1	1	0	1	9999	300	300	300	9999	9999	1
MI D	0	1	1	1	1	1	1	1	0	0	0	0	0	0	53	53	53	53	1
MN B	0	0	1	1	1	0	0	0	1	1	0	0	9999	2	60	8	9999	9999	0
MN D	0	0	0	0	1	1	1	0	0	0	0	1	9999	9999	9999	0	0	300	9
MS D	1	0	1	1	0	0	0	0	0	0	0	0	9999	8888	8888	9999	9999	9999	0
MS N	1	0	1	1	1	1	0	0	1	1	0	0	9999	94	94	94	94	9999	0
MO D	9	0	0	0	1	0	1	0	0	0	0	1	9999	9999	9999	9	9999	36	1
MT N	1	0	1	1	1	1	0	0	1	1	1	0	9999	3	16	3	16	9999	1
NE B	1	0	1	1	1	1	0	1	1	1	0	0	9999	3	47	3	47	9999	0
NE D	9	0	1	0	1	1	0	0	0	0	0	1	9999	0	9999	2	9	9999	1
NV B	0	0	1	1	1	1	0	1	1	1	0	0	9999	12	45	15	30	9999	1
NH N	0	0	1	1	1	0	0	1	1	1	0	0	9999	0	8	0	9999	9999	0
NH D	1	1	1	1	1	1	1	0	0	0	0	1	0	0	15	6	6	19	0
NJ N	0	0	1	1	1	1	0	1	0	1	0	0	9999	6	138	24	138	9999	0
NJ D	9	0	1	1	1	1	1	1	0	0	0	1	9999	0	19	9	19	19	0
NM B	1	0	1	1	1	1	0	0	1	1	0	0	9999	12	16	12	16	9999	1
NY N	0	0	1	1	1	1	0	0	1	1	1	0	9999	369	369	369	369	9999	1
NY D	1	1	0	0	1	1	0	1	0	0	0	1	165	9999	9999	165	165	9999	0
NC B	0	0	1	1	1	0	0	1	0	0	1	0	9999	20	30	0	9999	9999	0
NC D	1	0	1	1	1	1	0	0	0	0	0	1	9999	15	15	0	15	9999	1
ND B	9	0	1	1	1	1	0	0	1	1	0	0	9999	2	30	30	30	9999	9
OH B	1	0	1	1	1	1	0	0	1	1	0	0	9999	20	284	284	284	9999	1
OH D	1	0	1	1	1	0	1	0	0	0	0	0	9999	60	60	60	9999	60	0
OK D	9	0	1	1	0	0	1	0	0	0	0	0	9999	1	6	9999	9999	43	1
OK N	1	0	1	1	1	1	0	0	1	1	0	0	9999	15	125	125	125	9999	9
OR N	0	0	1	1	1	0	0	1	1	1	1	0	9999	117	117	117	9999	9999	0
OR D	1	0	1	1	1	1	0	0	0	0	0	0	9999	5	20	20	20	9999	1
PA D	1	1	1	1	1	1	0	0	0	0	0	0	123	123	123	123	123	9999	1
PA B	1	0	1	1	1	1	0	0	0	1	0	0	9999	10	304	304	304	9999	1

STATE	PROPRIETARY?	A1. AGENCY FUNCTIONS						A2. ADD'L FUNCTIONS					A3. # OF INST.: FUNCTIONS						INST w/o OVERSIGHT?
	Y/N	a	b	c	d	e	f	a	b	b'	c	d	a	b	c	d	e	f	Y/N
RI N	0	1	1	1	1	1	0	1	1	1	1	1	0	55	55	55	55	9999	1
RI D	9	1	1	1	1	1	0	1	1	1	1	0	2	2	2	2	2	9999	1
SC N	1	0	1	1	1	1	0	1	1	9	0	0	9999	7	82	7	82	9999	1
SD N	9	0	1	1	1	1	0	0	1	0	0	0	9999	35	35	35	35	9999	9
SD D	9	0	1	1	1	1	0	0	1	0	0	0	9999	5	5	5	5	9999	9
TN D	0	0	1	1	1	0	0	0	1	1	0	0	9999	12	12	12	9999	9999	1
TN N	0	0	1	1	1	1	0	0	1	1	0	0	9999	100	100	100	100	9999	1
TX N	1	0	1	1	1	1	0	1	1	1	0	0	9999	30	192	8888	192	9999	0
TX D	9	0	1	1	1	1	1	0	0	1	0	0	9999	0	17	0	17	45	1
VT D	1	1	1	1	1	0	0	1	0	0	0	0	22	5	17	10	9999	9999	0
VA D	0	0	1	1	0	0	0	0	0	0	0	0	9999	2	12	9999	9999	9999	0
VA N	0	0	1	1	1	1	0	0	0	1	0	0	9999	7	87	87	87	9999	1
WA N	0	1	0	0	0	0	0	0	0	1	0	1	132	9999	9999	9999	9999	9999	1
WV D	1	0	1	0	1	1	1	1	0	0	0	0	9999	0	9999	0	12	0	1
WV N	1	0	1	1	0	0	0	0	1	1	0	0	9999	14	90	9999	9999	9999	0
WI B	1	0	1	1	1	1	0	1	1	1	1	0	9999	3	88	88	88	9999	1
WY B	0	1	1	1	0	0	0	1	1	1	0	0	33	33	0	9999	9999	9999	1

STATE	# OF INST.: ADD'L FUNCTIONS					# OF SALESPERSONS		APPROXIMATE REVENUES, IN DOLLARS					
	a	b	b'	c	d	b	b'	a	b	c	d	e	TOTAL
AL N	171	171	9999	9999	9999	140	9999	0	25,000	450,000	0	0	475,000
AK N	112	30	30	9999	9999	30	30	999,999	0	105,000	999,999	999,999	9,999,999
AZ B	9999	27	119	9999	8888	161	166	0	49,000	0	0	999,999	49,000
AR D	9999	9999	9999	9999	7	9999	9999	500,000	0	0	0	0	500,000
AR N	9999	109	9999	9999	109	143	9999	48,305	0	0	0	0	48,305
CA N	1124	220	220	9999	9999	1381	1381	0	281,700	558,000	55,000	93,300	988,000
CA D	354	9999	9999	9999	9999	9999	9999	0	31,300	62,000	894,700	0	988,000
CO N	9999	22	92	9999	9999	138	752	103,000	0	0	10,000	0	113,000
CT N	35	9999	9999	9999	9999	9999	9999	30,000	0	0	0	0	30,000
CT D	9999	9999	9999	9	23	9999	9999	900,000	0	0	0	880	900,880
DE D	4	4	4	4	9999	8888	8888	50,000	0	0	0	0	50,000
DE N	38	38	38	38	9999	38	17	50,000	0	0	0	0	50,000
DC N	9999	61	61	9999	9999	83	83	422,000	999,999	999,999	999,999	999,999	422,000
DC D	9999	9999	9999	9999	9999	9999	9999	10,100	0	0	0	0	10,100
FL D	9999	9999	12	9999	9999	9999	15	78,000	0	0	0	0	78,000
FL N	9999	9999	8888	258	258	9999	758	62,000	30,000	0	0	0	92,000
GA D	9999	9999	9999	22	30	9999	9999	999,999	999,999	999,999	999,999	999,999	9,999,999
GA N	9999	9999	8888	9999	9999	9999	8888	0	0	0	66,600	999,999	66,600
HI N	9999	12	9999	18	9999	30	9999	49,986	0	0	0	11,100	61,086
HI D	9999	9999	9999	9999	9999	9999	9999	999,999	999,999	999,999	999,999	999,999	9,999,999
ID N	9999	39	39	9999	9999	85	85	5,000	0	0	0	0	5,000
IL D	9999	14	14	9999	9999	100	100	30,000	0	0	0	0	30,000
IL N	9999	100	9999	9999	100	350	9999	250,000	0	0	30,000	0	280,000
IN B	32	140	140	9999	9999	530	530	170,000	0	34,200	0	0	204,200
IA N	9999	9999	9999	9999	9999	9999	9999	0	0	0	2,484	0	2,484
KS N	9999	42	42	9999	9999	100	100	0	23,000	0	0	0	23,000
KS D	9999	9999	9999	9999	9999	9999	9999	999,999	999,999	999,999	999,999	999,999	9,999,999
KY D	9999	18	9999	9999	9999	8888	9999	50,000	0	0	0	0	50,000
KY N	9999	30	30	9999	10	85	85	25,600	11,400	0	0	0	37,000
LA B	9999	100	100	9999	9999	300	300	25,000	10,000	0	0	0	35,000
ME D	9999	9999	9999	9999	9	9999	9999	50,000	0	0	25,000	37,000	112,000
ME N	179	7	7	9999	9999	35	35	0	0	104,000	0	0	104,000

STATE	# OF INST.: ADD'L FUNCTIONS					# OF SALESPERSONS		APPROXIMATE REVENUES, IN DOLLARS					
	a	b	b'	c	d	b	b'	a	b	c	d	e	TOTAL
MD D	9999	23	9999	9999	9999	0	9999	603,000	0	0	41,000	0	644,000
MD N	9999	160	160	9999	9999	138	138	550,000	1,200	0	0	0	551,200
MA N	9999	8888	8888	9999	9999	225	225	999,999	8,000	0	0	0	9,999,999
MA D	780	9999	9999	9999	9999	9999	9999	79,500	0	60,000	0	0	139,500
MI N	9999	175	175	9999	8888	550	550	999,999	999,999	999,999	999,999	999,999	9,999,999
MI D	52	9999	9999	9999	9999	9999	9999	11,250	999,999	33,750	999,999	999,999	45,000
MN B	9999	24	24	9999	9999	222	222	67,088	0	0	0	33,677	100,765
MN D	9999	9999	9999	9999	250	9999	9999	999,999	999,999	999,999	999,999	999,999	9,999,999
MS D	9999	9999	9999	9999	9999	9999	9999	999,999	999,999	999,999	999,999	999,999	9,999,999
MS N	9999	94	94	9999	9999	253	253	29,786	0	0	0	0	29,786
MO D	9999	9999	9999	9999	36	9999	9999	400,000	0	0	0	62,000	462,000
MT N	9999	31	31	9999	9999	38	38	39,897	0	0	0	0	39,897
NE B	118	47	47	9999	9999	215	215	21,067	0	42,139	0	0	63,206
NE D	9999	9999	9999	9999	8888	9999	9999	12,000	0	0	250	0	12,250
NV B	50	20	20	9999	9999	60	60	54,000	0	38,655	0	0	92,655
NH N	96	35	35	9999	9999	77	77	0	0	124,000	0	0	124,000
NH D	9999	9999	9999	9999	15	9999	9999	269,214	0	0	0	192,297	461,511
NJ N	184	9999	138	9999	9999	9999	8888	73,400	0	60,000	1,750	0	135,150
NJ D	27	9999	9999	9999	27	9999	9999	205,000	0	0	0	0	205,000
NM B	9999	33	33	9999	9999	87	87	10,000	10,000	0	0	0	20,000
NY N	9999	8888	8888	8888	9999	800	800	200,000	0	0	0	0	200,000
NY D	8888	9999	9999	9999	165	9999	9999	230,000	0	0	210,000	60,000	500,000
NC B	250	9999	9999	23	9999	9999	9999	0	1,500	105,000	0	0	106,500
NC D	9999	9999	9999	9999	15	9999	9999	999,999	999,999	999,999	999,999	999,999	9,999,999
ND B	9999	30	30	9999	9999	43	43	999,999	999,999	999,999	999,999	999,999	9,999,999
OH B	9999	284	284	9999	9999	1297	1297	63,785	0	0	0	0	63,785
OH D	9999	9999	9999	9999	9999	9999	9999	35,000	0	0	0	0	35,000
OK D	9999	9999	9999	9999	9999	9999	9999	0	0	0	600,000	600,000	1,200,000
OK N	9999	125	125	9999	9999	93	93	0	39,575	19,350	0	0	58,925
OR N	130	117	117	37	9999	73	73	15,000	0	106,000	0	0	121,000
OR D	9999	9999	9999	9999	9999	9999	9999	350,000	0	0	0	100,000	450,000
PA D	9999	9999	9999	9999	9999	9999	9999	999,999	999,999	999,999	999,999	999,999	9,999,999
PA B	9999	9999	304	9999	9999	9999	574	148,000	52,000	0	0	0	200,000

STATE	# OF INST.: ADD'L FUNCTIONS					# OF SALESPERSONS		APPROXIMATE REVENUES, IN DOLLARS					
	a	b	b'	c	d	b	b'	a	b	c	d	e	TOTAL
RI N	55	1	1	8	8888	4	4	35,000	0	0	0	0	35,000
RI D	2	1	1	2	9999	4	4	35,000	0	0	0	0	35,000
SC N	363	82	9999	9999	9999	9999	65	58,662	0	287,638	0	0	346,300
SD N	9999	35	9999	9999	9999	80	9999	0	0	0	0	0	0
SD D	9999	5	9999	9999	9999	10	9999	0	0	0	0	0	0
TN D	9999	12	8888	9999	9999	8888	9999	30,000	0	0	0	0	30,000
TN N	9999	40	100	9999	9999	90	300	56,000	0	0	0	0	56,000
TX N	88	76	76	9999	9999	363	363	101,072	56,855	473,791	0	0	631,718
TX D	9999	9999	4	9999	9999	9999	31	40,000	0	0	0	0	40,000
VT D	17	9999	9999	9999	9999	9999	9999	7,600	0	400	0	0	8,000
VA D	9999	9999	9999	9999	9999	9999	9999	14,000	0	0	0	0	14,000
VA N	9999	9999	87	9999	9999	9999	200	1,800	4,000	0	0	45,000	50,800
WA N	9999	9999	132	9999	9999	8888	264	9,850	0	0	0	0	9,850
WV D	20	9999	9999	9999	9999	9999	9999	100,800	0	4,500	0	18,000	123,300
WV N	9999	8888	8888	9999	9999	45	45	0	350	0	0	0	350
WI B	244	34	34	43	9999	245	245	29,100	3,700	85,800	0	0	118,600
WY B	8888	33	33	9999	9999	98	98	1,038	0	0	0	0	1,038

STATE	A6. FTE TOTAL, EMPLOYED PERS.	A8. RENEWAL FREQUENCY, YEARS	A9. LAWS/REGS: CHANGES DURING PAST 5 YEARS? Y/N	ECS USED? Y/N	ECS USED IN... LAWS/REGS/OTHER			ECS USED HOW? SLI/MOD/EXT	OTHER STATES' LAWS/REGS USED? Y/N
AL W	20.0	1	0	1	1	1	0	2	1
AK W	9.0	1	1	1	1	0	0	3	0
AZ B	2.0	1	1	0	8	8	8	8	0
AR D	23.0	2	1	1	1	0	0	1	0
AR W	2.5	1	1	1	1	1	0	1	1
CA W	32.3	99	0	9	8	8	8	8	9
CA D	32.3	99	0	9	8	8	8	8	9
CO W	5.0	3	1	1	1	1	0	2	1
CT W	1.0	1	1	0	8	8	8	8	1
CT D	14.0	4	0	9	8	8	8	8	9
DE D	3.0	5	0	9	8	8	8	8	9
DE W	3.0	1	0	9	8	8	8	8	9
DC W	0.1	1	1	0	8	8	8	8	0
DC D	0.6	5	1	1	1	0	0	2	1
FL D	3.5	1	1	0	8	8	8	8	0
FL W	5.0	1	0	9	8	8	8	8	9
GA D	0.5	99	0	9	8	8	8	8	9
GA W	3.0	1	1	0	8	8	8	8	0
HI W	2.0	1	0	9	8	8	8	8	9
HI D	50.0	1	1	0	8	8	8	8	0
ID W	0.2	1	0	9	8	8	8	8	9
IL D	1.7	88	1	0	8	8	8	8	0
IL W	14.0	1	1	1	1	1	1	3	1
IN B	11.0	1	1	1	1	1	0	3	0
IA W	0.2	1	0	9	8	8	8	8	9
KS W	1.2	2	0	1	8	8	8	8	1
KS D	0.3	9	1	8	8	8	8	8	9
KY D	2.0	88	0	9	8	8	8	8	9
KY W	1.0	1	1	1	1	0	0	3	0
LA B	2.0	1	1	0	8	8	8	8	0
ME D	5.0	2	0	9	8	8	8	8	9
ME W	99.9	1	0	9	8	8	8	8	9

STATE	A6. FTE TOTAL, EMPLOYED PERS.	A8. RENEWAL FREQUENCY, YEARS	A9. LAWS/REGS: CHANGES DURING PAST 5 YEARS? Y/N	ECS USED? Y/N	ECS USED IN... LAWS/REGS/OTHER			ECS USED HOW? SLI/MOD/EXT	OTHER STATES' LAWS/REGS USED? Y/N
MD D	4.0	99	1	1	1	0	0	1	1
MD N	3.0	99	1	1	1	0	0	1	1
MA N	5.0	1	1	0	8	8	8	8	0
MA D	6.0	9	1	0	8	8	8	8	0
MI N	2.0	99	0	9	8	8	8	8	9
MI D	2.0	99	0	9	8	8	8	8	9
MN B	4.0	1	1	1	1	0	0	1	1
MN D	95.0	1	1	1	1	1	0	3	1
MS D	99.9	1	0	9	8	8	8	8	9
MS N	1.0	2	1	0	8	8	8	8	1
MO D	25.0	99	1	1	1	0	0	3	1
MT N	2.0	1	1	1	1	1	0	3	1
NE B	3.5	1	1	1	1	0	0	3	1
NE D	0.8	1	0	9	8	8	8	8	9
NV B	3.5	2	1	1	1	0	0	3	0
NH N	7.0	1	0	0	8	8	8	8	1
NH D	5.0	2	1	8	8	8	8	8	8
NJ N	3.0	1	1	0	8	8	8	8	1
NJ D	13.0	9	0	9	8	8	8	8	9
NM B	1.5	1	1	1	1	1	0	3	1
NY N	10.0	5	1	1	1	1	0	2	0
NY D	13.0	3	0	0	8	8	8	8	0
NC B	6.0	1	0	1	1	0	0	2	9
NC D	99.9	2	1	1	1	1	0	2	1
ND B	0.4	1	1	1	1	0	0	3	1
OH B	3.7	2	1	0	8	8	8	8	0
OH D	1.0	99	1	1	0	1	0	1	1
OK D	65.0	1	1	0	8	8	8	8	0
OK N	3.0	1	1	0	8	8	8	8	0
OR N	4.0	1	1	0	8	8	8	8	0
OR D	17.0	1	1	0	8	8	8	8	0
PA D	99.9	99	0	0	8	8	8	8	0
PA B	12.0	1	0	9	8	8	8	8	9

STATE	A6. FTE TOTAL, EMPLOYED PERS.	A8. RENEWAL FREQUENCY, YEARS	A9. LAWS/REGS: CHANGES DURING PAST 5 YEARS? Y/N	ECS USED? Y/N	ECS USED IN... LAWS/REGS/OTHER			ECS USED HOW? SLI/MOD/EXT	OTHER STATES' LAWS/REGS USED? Y/N
RI N	3.0	1	1	0	8	8	8	8	1
RI D	3.0	99	1	0	8	8	8	8	1
SC N	18.0	1	1	0	8	8	8	8	1
SD N	0.5	1	1	1	9	9	9	9	1
SD D	0.5	1	1	1	9	9	9	9	1
TN D	1.5	1	1	1	1	1	0	3	0
TN N	2.0	1	1	1	1	1	0	3	1
TX N	32.8	1	1	0	8	8	8	8	0
TX D	2.0	2	1	1	0	1	0	3	1
VT D	1.5	0	0	1	1	0	0	1	0
VA D	1.0	1	0	9	8	8	8	8	9
VA N	3.0	1	1	1	0	1	0	1	1
WA N	0.5	1	0	9	8	8	8	8	9
WV D	7.2	4	1	0	8	8	8	8	0
WV N	0.1	1	1	0	8	8	8	8	1
WI B	6.4	1	1	0	9	9	9	8	1
WY B	99.9	1	0	0	8	8	8	8	0

STATE	A10. PROCEDURES FOR NEW REGULATIONS OR RULES					A14. SITE VISITS?	A15. AUTHORIZATION VISITS?							A16. OVERSIGHT VISITS							
	a	b	c	d	d'	Y/N	b	c	d	d1	d2	d3	e	b	c	d	e	e1	e2	e3	f
AL N	1	1	1	1	1	1	1	0.38	1	1	1	0	0	1	0.38	9.9	1	1	1	0	0
AK N	1	1	1	0	9	1	0	3.00	1	1	0	0	1	0	1.00	1.0	1	1	0	0	1
AZ B	1	1	1	0	9	1	9	9.99	9	9	9	9	9	1	0.19	1.0	0	8	8	8	0
AR D	1	1	1	1	1	1	0	1.00	0	8	8	8	1	9	9.99	9.9	9	9	9	9	9
AR N	1	1	1	1	1	1	0	0.50	0	8	8	8	1	0	0.50	1.5	0	8	8	8	1
CA N	1	0	0	1	1	1	1	0.47	1	1	1	0	1	1	0.47	1.0	1	1	1	0	1
CA D	9	9	9	9	9	1	1	1.00	1	1	0	0	1	1	1.00	3.0	1	1	0	0	1
CO N	1	1	1	1	1	1	1	0.19	0	8	8	8	1	1	0.50	0.5	0	8	8	8	1
CT N	1	1	1	0	9	1	1	1.00	1	1	1	0	1	1	0.75	1.0	1	1	1	0	1
CT D	1	1	1	1	1	1	1	2.00	0	8	8	8	1	1	2.00	4.0	0	8	8	8	1
DE D	1	1	1	1	1	1	1	2.25	0	8	8	8	1	1	1.00	5.0	1	9	1	0	1
DE N	1	1	1	1	1	1	1	2.25	0	8	8	8	1	1	1.00	0.5	1	1	9	9	1
DC N	1	1	1	1	8	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
DC D	1	1	1	0	9	1	0	1.00	0	8	8	8	1	9	9.99	9.9	9	9	9	9	9
FL D	1	1	1	1	1	1	1	1.00	1	0	1	0	1	1	1.00	8.8	1	0	1	0	1
FL N	1	1	1	1	1	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
GA D	1	1	1	1	1	1	1	2.00	1	0	1	0	1	9	9.99	9.9	9	9	9	9	9
GA N	1	1	0	1	1	1	1	0.25	0	8	8	8	1	1	0.19	0.3	0	8	8	8	1
HI N	1	1	1	0	9	[illegible]	9	9.99	9	9	9	9	9	0	0.19	8.8	0	8	8	8	0
HI D	1	0	1	1	9	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
ID N	1	0	0	0	9	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
IL D	1	1	1	1	1	1	1	1.50	0	8	8	8	1	1	1.50	3.0	0	8	8	8	1
IL N	1	1	1	1	1	1	1	1.00	0	8	8	8	1	1	1.00	1.5	0	8	8	8	1
IN B	0	1	1	1	1	1	1	1.00	0	8	8	8	1	1	1.00	5.0	1	0	1	0	1
IA N	0	0	0	0	9	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
KS N	1	1	1	1	1	1	0	1.00	1	0	1	0	1	0	1.00	2.0	1	0	1	0	1
KS D	1	1	1	0	9	1	9	9.99	9	9	9	9	9	1	2.50	5.0	1	9	1	0	1
KY D	1	1	1	1	1	1	1	1.00	0	8	8	8	1	1	1.00	4.0	0	8	8	8	1
KY N	1	1	1	1	1	1	0	0.50	1	0	1	0	0	0	0.38	1.0	1	9	1	0	0
LA B	1	1	1	1	1	1	1	0.44	1	0	1	0	1	9	9.99	1.0	0	8	8	8	1
ME D	1	1	0	1	9	1	1	2.50	1	9	1	0	1	1	1.00	2.0	0	8	8	8	1
ME N	1	1	0	1	9	1	1	0.50	1	1	9	0	1	1	2.25	1.0	0	8	8	8	1

STATE	A10. PROCEDURES FOR NEW REGULATIONS OR RULES					A14. SITE VISITS?	A15. AUTHORIZATION VISITS?							A16. OVERSIGHT VISITS							
	a	b	c	d	d'	Y/N	b	c	d	d1	d2	d3	e	b	c	d	e	e1	e2	e3	f
MD D	1	1	1	1	1	1	1	2.75	1	1	1	0	1	1	2.75	5.0	1	1	1	0	1
MD N	1	1	1	1	1	1	1	2.75	1	1	1	0	1	1	2.75	1.0	1	1	1	0	1
MA N	1	1	1	1	9	1	1	0.75	0	8	8	8	1	1	0.75	0.2	0	8	8	8	1
MA D	1	1	1	1	1	1	1	2.00	1	9	1	0	0	1	2.00	9.8	1	9	1	0	0
MI N	1	1	1	0	9	1	0	0.19	0	8	8	8	0	0	0.17	1.0	0	8	8	8	0
MI D	0	0	0	0	9	1	1	1.00	0	8	8	8	1	1	0.50	2.0	1	1	9	0	1
MN B	1	1	1	1	1	1	0	0.75	0	8	8	8	0	9	9.99	9.9	9	9	9	9	9
MN D	1	1	1	1	1	1	1	1.50	0	8	8	8	1	0	9.99	9.9	0	8	8	8	0
MS D	0	0	0	0	9	1	1	9.99	0	8	8	8	1	1	9.99	1.0	0	8	8	8	1
MS N	1	1	1	0	9	1	1	1.50	0	8	8	8	1	1	1.50	1.0	0	8	8	8	1
MO D	1	1	1	1	1	1	0	0.50	1	9	1	0	1	0	0.50	8.8	1	9	1	0	1
MT N	1	1	1	1	1	1	9	9.99	9	9	9	9	9	0	1.00	1.0	1	0	1	0	1
NE B	1	1	1	1	1	1	1	0.38	0	8	8	8	1	1	0.62	1.0	1	1	1	0	1
NE D	0	1	0	1	1	1	0	3.00	0	8	8	8	1	0	3.00	5.0	0	8	8	8	1
NV B	1	1	1	0	9	1	1	1.00	0	8	8	8	1	1	0.38	1.0	1	1	1	0	1
NH N	1	1	1	0	9	1	0	0.50	1	1	1	0	1	0	0.50	1.0	1	1	1	0	1
NH D	1	0	1	0	9	1	9	9.99	9	9	9	9	9	1	1.00	2.0	1	9	9	9	1
NJ N	1	1	1	1	1	1	1	0.38	0	8	8	8	1	1	0.25	0.5	0	8	8	8	1
NJ D	1	1	1	1	1	1	1	2.50	1	0	1	0	1	1	2.50	8.8	1	0	1	0	1
NM B	1	1	0	1	1	1	1	1.00	0	8	8	8	1	1	0.50	1.5	0	8	8	8	1
NY N	1	1	1	1	1	1	9	9.99	9	9	9	9	9	1	1.56	8.8	0	8	8	8	1
NY D	1	1	1	1	1	1	1	2.50	0	8	8	8	1	1	2.50	8.8	0	8	8	8	1
NC B	0	0	0	1	1	1	0	2.00	1	1	0	0	1	0	0.50	8.8	1	1	0	0	1
NC D	1	1	1	0	9	1	1	2.00	0	8	8	8	1	1	2.00	2.0	0	8	8	8	1
ND B	1	1	1	1	1	1	9	9.99	9	9	9	9	9	1	1.00	1.0	1	9	1	0	1
OH B	1	1	1	1	1	1	1	0.56	1	9	9	9	1	1	0.62	1.0	0	8	8	8	1
OH D	1	1	1	1	1	1	1	9.99	0	8	8	8	1	0	9.99	9.9	0	8	8	8	0
OK D	0	1	1	0	9	1	0	1.00	0	8	8	8	1	0	1.00	1.0	0	8	8	8	1
OK N	1	1	1	1	9	1	1	1.00	1	1	1	0	1	1	0.62	0.8	1	1	1	0	1
OR N	1	1	1	1	1	1	1	0.19	0	8	8	8	1	1	1.00	0.5	1	1	0	0	1
OR D	0	1	1	1	1	1	1	3.00	1	9	9	9	1	1	8.88	8.8	0	8	8	8	1
PA D	1	1	1	1	1	1	1	2.75	0	8	8	8	0	1	2.75	8.8	0	8	8	8	0
PA B	1	1	1	1	1	1	1	0.50	0	8	8	8	1	1	0.50	2.0	0	8	8	8	1

STATE	A10. PROCEDURES FOR NEW REGULATIONS OR RULES					A14. SITE VISITS?	A15. AUTHORIZATION VISITS?							A16. OVERSIGHT VISITS							
	a	b	c	d	d'	Y/N	b	c	d	d1	d2	d3	e	b	c	d	e	e1	e2	e3	f
RI N	0	1	1	0	9	1	1	1.00	0	8	8	8	1	1	0.50	1.0	0	8	8	8	1
RI D	0	1	1	0	9	1	1	1.50	0	8	8	8	1	1	9.99	9.9	0	8	8	8	1
SC N	0	1	1	0	9	1	0	0.25	0	8	8	8	1	0	0.25	1.0	0	8	8	8	1
SD N	0	1	1	0	9	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
SD D	0	1	1	0	9	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
TN D	0	1	1	0	9	1	1	2.00	0	8	8	8	1	1	2.00	8.8	0	8	8	8	1
TN N	1	1	1	1	1	1	1	0.75	0	8	8	8	1	1	0.50	0.5	0	8	8	8	1
TX N	1	1	1	1	1	1	1	0.50	0	8	8	8	1	1	0.50	0.5	1	1	0	0	1
TX D	1	1	1	1	1	1	1	1.50	0	8	8	8	1	9	9.99	9.9	9	9	9	9	9
VT D	1	1	1	1	1	1	1	2.00	0	8	8	8	1	9	9.99	9.9	9	9	9	9	9
VA D	1	1	1	1	1	1	1	3.00	0	8	8	8	1	1	1.00	1.0	0	8	8	8	1
VA N	1	1	1	1	1	1	1	0.19	0	8	8	8	1	1	0.12	1.2	0	8	8	8	1
WA N	1	1	1	1	8	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
WV D	1	1	0	1	1	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
WV N	1	1	1	1	1	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8
WI B	1	1	1	0	9	1	1	1.00	0	8	8	8	1	1	0.50	0.2	1	1	0	0	1
WY B	1	1	1	0	9	0	8	8.88	8	8	8	8	8	8	8.88	8.8	8	8	8	8	8

STATE	A17. PROCEDURES: VARIATIONS/DISTINCTIONS?								A18. LEGAL STANDING?			A19. ADMIN. PROC. ACT?	A21. CENTRAL COMPLAINT HANDLING?				A22. INSTITUTIONAL INFO TO...							
	a	a'	b	c	c'	d	e	f	Y/N	a	b	Y/N	Y/N	a	b	c	a	a'	b	b'	c	c'	d	d'
AL N	1	1	1	1	0	0	1	8	1	1	0	0	1	0	0	0	1	1	1	1	1	1	9	9
AK N	0	8	0	0	8	0	0	8	0	8	8	0	0	8	8	8	1	0	0	8	1	0	1	1
AZ B	0	8	0	0	8	0	0	0	1	1	0	1	1	1	0	1	1	0	1	0	1	0	1	0
AR D	1	9	0	1	0	0	0	0	0	8	8	1	0	8	8	8	1	0	1	0	0	8	0	8
AR N	1	1	0	0	8	0	1	8	0	8	8	1	1	1	1	1	1	0	1	1	0	8	9	9
CA N	1	1	0	0	8	0	1	8	0	8	8	1	1	1	0	1	1	1	1	0	1	1	1	1
CA D	0	8	0	0	8	0	0	0	0	8	8	1	1	1	0	1	1	1	1	0	1	1	1	1
CO N	0	8	0	1	0	0	1	8	1	1	1	1	1	0	1	1	1	1	1	1	1	1	0	8
CT N	0	8	0	0	8	0	0	8	0	8	8	1	1	0	0	0	0	8	0	8	0	8	1	1
CT D	1	9	0	1	0	0	0	0	1	1	1	1	0	8	8	8	0	8	9	9	0	8	0	8
DE D	0	8	0	0	8	0	0	0	0	8	8	1	1	1	1	1	1	0	1	0	0	8	1	0
DE N	0	8	0	0	8	0	0	8	0	8	8	1	1	1	1	1	1	0	1	0	0	8	1	0
DC N	0	8	0	0	8	1	1	8	1	9	9	1	1	1	0	1	1	1	1	9	1	9	1	9
DC D	0	8	0	0	8	0	0	0	0	8	8	1	0	8	8	8	0	8	0	8	0	8	0	8
FL D	1	1	1	1	1	0	0	0	1	1	1	1	1	1	1	1	1	0	1	0	1	1	1	1
FL N	1	9	0	1	1	1	1	8	1	1	0	1	1	1	0	1	1	9	1	9	1	9	1	1
GA D	1	1	0	1	0	0	0	0	0	8	8	0	0	8	8	8	0	8	1	0	0	8	1	0
GA N	0	8	0	1	0	0	1	8	1	0	0	0	0	8	8	8	1	1	1	1	1	1	1	1
HI N	0	8	0	0	8	0	1	8	1	0	0	8	1	1	0	1	1	1	0	8	1	1	1	0
HI D	0	8	0	0	8	0	0	0	1	1	1	1	1	1	0	1	0	8	0	8	0	8	0	8
ID N	0	8	0	0	8	0	1	8	1	1	1	1	0	8	8	8	0	8	0	8	1	0	0	8
IL D	0	8	0	0	8	0	0	0	1	1	1	1	1	1	0	1	0	8	0	8	0	8	0	8
IL N	0	8	0	1	0	0	0	8	1	1	1	1	1	1	0	1	0	8	0	8	0	8	0	8
IN B	1	9	0	1	0	0	1	0	1	1	1	1	1	1	1	1	0	8	0	8	0	8	0	8
IA N	0	8	0	0	8	0	0	8	0	8	8	1	1	1	1	1	1	0	1	0	1	0	1	0
KS N	1	1	0	1	0	0	0	8	0	8	8	0	1	1	1	1	1	9	1	9	1	9	1	9
KS D	1	1	1	0	8	0	0	0	1	1	0	1	0	8	8	8	0	8	0	8	0	8	0	8
KY D	1	1	0	1	0	0	0	0	1	1	1	1	0	8	8	8	0	8	0	8	0	8	0	8
KY N	1	1	0	1	1	0	0	8	1	1	1	0	1	1	0	1	1	1	1	1	1	1	1	1
LA B	0	8	0	0	8	0	0	0	1	1	1	1	1	1	1	1	0	8	0	8	0	8	0	8
ME D	0	8	0	0	8	0	0	0	1	1	1	1	1	1	9	1	1	0	0	8	1	1	0	8
ME N	0	8	0	0	8	0	0	8	1	1	1	1	1	1	0	1	0	8	0	8	0	8	1	1

STATE	A17. PROCEDURES: VARIATIONS/DISTINCTIONS?								A18. LEGAL STANDING?			A19. ADMIN. PROC. ACT?	A21. CENTRAL COMPLAINT HANDLING?				A22. INSTITUTIONAL INFO TO...							
	a	a'	b	c	c'	d	e	f	Y/N	a	b	Y/N	Y/N	a	b	c	a	a'	b	b'	c	c'	d	d'
MD D	0	8	0	0	8	1	0	0	1	1	1	1	0	8	8	8	0	8	0	8	0	8	1	1
MD N	0	8	0	0	8	0	0	8	1	1	1	1	0	8	8	8	0	8	0	8	0	8	1	1
MA N	0	8	0	1	9	0	0	8	0	8	8	1	1	1	0	1	0	8	1	9	1	9	1	9
MA D	0	8	1	1	9	0	0	0	1	1	1	1	1	1	0	1	1	1	1	1	1	1	1	1
MI N	0	8	0	1	1	0	1	8	1	1	8	1	1	1	0	0	1	0	0	8	0	8	1	1
MI D	1	0	0	0	6	0	0	0	1	1	1	1	0	8	8	8	0	8	1	1	0	8	1	1
MN B	0	8	0	0	8	0	1	9	0	8	8	1	1	1	1	1	1	0	1	1	0	8	1	1
MN D	0	8	0	0	8	0	0	1	0	8	8	1	0	8	8	8	1	9	1	9	1	9	1	9
MS D	1	1	0	0	8	0	0	0	0	8	8	0	0	8	8	8	0	8	0	8	0	8	0	8
MS N	0	8	0	1	1	0	1	8	0	8	8	1	1	1	0	1	0	8	1	1	1	1	1	1
MO D	0	8	0	0	8	0	0	0	0	8	8	0	0	8	8	8	0	8	0	8	0	8	0	8
MT N	0	8	0	0	8	0	0	8	1	1	1	1	1	1	0	1	0	8	1	0	0	8	0	8
NE B	0	8	0	1	0	0	0	9	1	1	1	1	1	1	1	1	1	0	1	0	0	8	1	1
NE D	0	8	0	0	8	0	0	0	1	1	0	1	0	8	8	8	0	8	0	8	0	8	0	8
NV B	1	1	1	0	8	1	1	0	1	1	1	1	1	1	1	1	1	0	1	0	1	0	1	0
NH N	1	1	1	1	0	0	1	8	0	8	8	1	1	1	1	1	1	0	1	0	1	0	1	1
NH D	1	9	0	1	0	0	0	0	1	1	9	1	0	8	8	8	0	8	0	8	0	8	0	8
NJ N	0	8	0	0	8	0	1	8	0	8	8	1	0	8	8	8	1	9	0	8	0	8	1	0
NJ D	0	8	0	0	8	0	0	0	1	1	1	1	0	8	8	8	0	8	0	8	0	8	0	8
NM B	1	1	0	1	1	0	1	0	1	1	1	1	1	1	0	1	1	0	1	0	1	0	1	1
NY N	0	8	0	0	8	0	0	8	0	8	8	1	1	0	0	1	0	8	0	8	0	8	1	0
NY D	0	8	0	1	0	0	0	0	1	1	1	1	1	1	0	1	0	8	0	8	0	8	1	0
NC B	0	8	0	0	8	1	1	9	1	1	0	1	1	1	0	1	1	0	0	8	1	1	1	1
NC D	1	1	0	0	8	1	0	0	0	8	8	1	0	8	8	8	1	0	1	0	1	0	1	0
ND B	1	9	0	0	8	0	0	0	1	1	1	1	0	8	8	8	0	8	0	8	0	8	0	8
OH B	1	1	0	0	8	0	0	1	1	1	1	1	1	1	0	1	1	1	1	0	1	1	1	9
OH D	0	8	0	0	8	9	0	0	1	1	1	1	0	8	8	8	0	8	0	8	0	8	0	8
OK D	1	1	1	1	9	0	1	1	0	8	8	1	1	1	1	1	0	8	0	8	0	8	1	1
OK N	0	8	0	1	0	0	0	8	1	1	1	1	1	1	1	1	1	1	1	9	0	8	1	1
OR N	0	8	0	0	0	0	9	8	1	1	1	1	1	1	0	1	0	8	0	8	0	8	1	1
OR D	1	1	0	0	0	0	0	0	1	1	1	1	0	8	8	8	0	8	1	0	0	8	1	0
PA D	0	8	0	0	0	0	0	0	1	1	1	1	0	8	8	8	1	0	1	0	1	0	0	8
PA B	1	1	0	1	0	0	1	0	1	1	1	1	1	1	0	1	0	8	0	8	0	8	0	8

STATE	A17. PROCEDURES: VARIATIONS/DISTINCTIONS?								A18. LEGAL STANDING?			A19. ADMIN. PROC. ACT?	A21. CENTRAL COMPLAINT HANDLING?				A22. INSTITUTIONAL INFO TO...							
	a	a'	b	c	c'	d	e	f	Y/N	a	b	Y/N	Y/N	a	b	c	a	a'	b	b'	c	c'	d	d'
RI N	0	8	0	0	8	0	0	8	1	1	1	1	0	8	8	8	1	0	1	0	1	0	1	1
RI D	0	8	1	0	8	0	0	0	1	1	1	1	0	8	8	8	1	0	1	0	1	0	1	1
SC N	0	8	0	0	8	0	0	8	0	8	8	1	0	8	8	8	0	8	0	8	0	8	0	8
SD N	1	9	0	0	8	0	0	8	1	9	9	1	0	8	8	8	9	9	9	9	9	9	9	9
SD D	1	9	0	0	8	0	0	9	1	9	9	1	0	8	8	8	9	9	9	9	9	9	9	9
TN D	1	1	0	0	8	0	0	0	1	1	1	1	0	8	8	8	0	8	0	8	0	8	0	8
TN N	1	9	0	0	8	0	0	8	0	8	8	1	1	1	1	1	0	8	0	8	0	8	1	0
TX N	0	8	1	0	8	1	0	8	1	1	1	1	1	1	1	1	1	0	0	8	1	0	1	1
TX D	1	1	0	0	8	0	0	0	0	8	8	1	0	8	8	8	0	8	0	8	0	8	0	6
VT D	1	0	0	1	9	1	0	0	1	1	1	1	1	1	0	8	0	8	1	0	0	8	1	1
VA D	1	1	0	1	1	0	0	0	0	8	8	1	0	8	8	8	1	0	0	8	0	8	1	0
VA N	0	8	0	C	8	0	0	8	1	1	1	1	1	1	1	1	1	0	1	0	1	0	1	0
WA N	1	9	0	0	8	9	0	8	0	8	8	1	0	8	8	8	9	9	1	0	0	8	0	8
WV D	1	1	1	0	8	0	0	0	0	8	8	0	0	8	8	8	0	8	0	8	0	8	0	8
WV N	1	1	0	0	8	0	0	8	0	8	8	8	1	0	0	0	1	0	0	8	1	0	1	0
WI B	0	8	0	1	0	0	0	0	0	8	8	1	1	0	0	1	0	8	1	0	0	8	1	1
WY B	9	9	9	9	9	9	9	9	1	1	1	1	1	1	0	1	0	8	1	1	0	8	1	1

STATE	A23. COMPLAINTS				A24. RELATIONSHIPS WITH OTHER STATE AGENCIES											A25. NATURE OF RELATIONSHIPS					A26. WRITTEN PROCEDURES				A27. INFO TO GEN. PUBLIC			
	Y/N	DIRECT	INDIR.	TOTAL	a	b	c	d	e	f	g	h	i	j	k	a	b	c	d	e	a	b	c	d	a	b	c	d
AL N	1	25	19	6	3	3	3	3	3	4	2	4	3	3	3	3	2	3	3	3	0	0	0	0	1	1	0	0
AK N	1	10	10	0	4	4	4	3	3	5	3	3	5	1	1	2	4	2	2	2	0	0	0	0	1	0	1	1
AZ B	1	8	4	4	4	3	3	3	1	3	3	3	4	4	4	4	1	3	3	2	0	0	0	0	1	0	1	1
AR D	0	888	888	888	4	4	4	4	3	3	3	3	5	1	5	3	4	2	2	3	1	0	0	0	1	0	0	0
AR N	1	10	9	1	4	4	4	4	4	4	4	3	4	4	8	1	1	3	3	1	1	1	0	0	1	0	0	0
CA N	1	260	130	130	3	3	4	2	3	4	2	4	3	2	1	4	4	3	3	3	0	0	0	0	1	0	0	0
CA D	1	30	15	15	3	3	4	2	3	4	2	4	3	2	1	4	4	3	3	3	0	0	0	0	0	0	0	0
CO N	1	16	15	1	4	4	4	3	4	3	5	3	3	3	1	4	4	3	3	2	0	0	0	0	1	0	0	0
CT N	1	36	32	4	3	3	4	3	3	4	3	3	2	8	8	4	4	3	3	3	0	0	0	0	1	0	0	0
CT D	0	888	888	888	4	4	4	4	3	4	4	4	4	8	8	3	3	2	4	3	1	0	1	0	1	0	0	0
DE D	0	888	888	888	3	3	4	4	3	3	3	5	3	1	3	4	2	2	2	2	0	0	0	0	1	0	1	0
DE N	1	10	6	4	3	3	4	4	3	3	3	5	3	1	3	2	3	3	2	2	0	0	0	0	1	0	1	0
DC N	1	5	5	0	1	2	4	2	4	1	3	3	3	3	3	3	3	3	3	3	0	0	0	0	0	0	0	0
DC D	1	1	1	0	4	4	2	2	2	3	2	3	3	8	1	3	2	2	2	2	0	0	0	0	1	1	0	0
FL D	1	45	28	17	4	4	3	4	3	4	3	4	3	4	1	3	3	3	3	3	0	0	0	0	1	1	1	1
FL N	1	55	35	20	4	4	4	3	4	4	4	3	4	1	1	4	4	4	3	3	0	1	0	0	1	1	1	0
GA D	1	20	20	0	4	4	4	4	3	4	4	5	3	1	8	4	4	3	4	3	0	0	0	0	1	0	0	0
GA N	1	46	38	8	3	4	4	3	3	4	3	4	3	1	1	4	2	3	2	2	0	1	0	0	1	0	0	0
HI N	1	100	999	999	4	4	4	2	4	3	2	9	9	1	1	3	2	3	2	2	0	0	0	0	1	0	9	0
HI D	1	1	1	0	4	4	4	1	4	2	1	2	1	1	1	3	2	2	2	2	0	0	0	0	1	0	0	0
ID N	1	9	6	3	3	3	4	3	4	4	9	4	2	2	2	2	2	3	2	2	0	0	0	0	1	0	0	0
IL D	1	8	8	0	3	3	4	3	3	3	3	4	3	8	8	3	3	3	3	3	0	0	0	0	1	1	1	1
IL N	1	134	70	64	3	3	4	3	2	4	1	3	3	3	1	3	3	3	3	2	0	0	0	0	1	0	1	0
IN B	1	40	27	13	4	3	4	4	3	4	3	4	2	2	3	4	2	3	3	2	0	0	0	0	1	0	0	0
IA N	1	6	6	0	2	3	4	3	4	4	4	1	2	2	1	2	3	3	2	2	0	0	0	0	1	0	0	0
KS N	1	4	3	1	4	4	4	4	4	4	4	4	9	3	3	4	1	3	4	2	0	0	1	0	1	1	1	0
KS D	0	888	888	888	3	3	3	4	3	3	4	5	3	3	1	4	3	3	3	3	0	0	0	0	1	0	0	0
KY D	0	888	888	888	4	4	4	3	4	3	3	3	4	5	5	3	3	2	2	2	0	0	0	0	0	0	0	0
KY N	1	14	4	10	4	2	4	2	4	4	4	4	4	4	8	4	1	3	3	4	0	0	0	0	1	0	0	0
LA B	1	2	2	0	4	4	4	4	4	3	4	4	4	3	8	4	4	4	4	4	0	0	0	0	1	1	0	0
ME D	1	5	0	5	4	3	4	3	3	4	4	4	4	1	8	3	3	3	4	2	0	0	0	0	1	0	1	0
ME N	1	6	0	6	4	3	4	3	4	4	4	4	3	1	8	3	3	2	3	3	0	0	0	0	1	0	1	0

STATE	A23. COMPLAINTS				A24. RELATIONSHIPS WITH OTHER STATE AGENCIES											A25. NATURE OF RELATIONSHIPS					A26. WRITTEN PROCEDURES				A27. INFO TO GEN. PUBLIC			
	Y/N	DIRECT	INDIR.	TOTAL	a	b	c	d	e	f	g	h	i	j	k	a	b	c	d	e	a	b	c	d	a	b	c	d
MD D	0	888	888	888	4	4	4	2	3	4	4	4	4	4	8	4	3	3	2	3	0	0	0	0	1	0	1	0
MD N	1	16	10	6	4	4	4	2	3	4	4	4	4	4	4	4	3	3	2	3	0	0	0	0	1	0	1	0
MA N	1	60	50	10	3	3	3	3	3	3	3	3	3	8	8	4	9	3	4	3	0	0	0	0	1	1	1	1
MA D	1	60	50	10	4	4	4	4	2	4	1	4	3	4	4	4	4	3	3	3	0	0	0	0	1	1	0	1
MI N	1	75	50	25	3	4	4	2	3	4	1	4	3	8	4	3	3	3	3	3	0	0	0	0	1	0	1	0
MI D	0	888	888	888	2	2	3	4	4	4	4	4	4	1	3	3	3	3	2	2	0	0	0	0	1	0	1	0
MN B	1	35	25	10	3	4	4	3	3	3	4	5	1	4	8	3	3	3	3	2	0	0	0	0	1	0	1	1
MN D	1	75	75	0	4	4	3	3	3	3	3	5	5	4	4	3	2	3	4	3	1	1	1	1	1	1	0	1
MS D	0	888	888	888	3	3	3	4	2	2	3	3	3	8	8	3	3	2	2	2	0	0	0	0	1	1	0	0
MS N	1	2	2	0	3	2	4	4	4	3	3	3	3	8	8	4	2	3	2	3	0	0	0	0	0	0	0	0
MO D	1	1	0	1	4	4	4	3	3	3	3	5	5	1	1	3	2	3	2	2	0	0	1	0	1	0	0	0
MT N	1	13	11	2	3	3	3	4	5	4	2	3	1	3	1	3	3	1	4	3	0	0	0	0	1	0	0	1
NE B	1	2	0	2	4	4	4	2	3	5	5	5	3	3	1	2	3	3	3	2	1	0	0	0	1	0	0	1
NE D	0	888	888	888	2	4	4	4	2	2	2	5	3	3	1	3	3	2	3	3	0	0	0	0	1	0	0	0
NV B	1	98	50	48	4	4	4	4	3	4	3	4	5	5	5	3	3	3	3	1	0	0	0	0	1	1	1	1
NH N	1	4	4	0	3	3	3	3	3	3	3	5	3	8	8	4	3	2	3	2	1	0	0	0	1	0	1	1
NH D	1	999	999	999	4	4	4	4	2	2	4	4	4	1	8	3	2	2	2	2	0	0	0	0	1	0	1	0
NJ N	1	42	17	25	4	4	4	3	3	5	5	5	2	3	3	2	3	3	3	3	0	0	0	0	1	0	0	0
NJ D	1	999	999	999	4	4	4	4	3	5	3	4	5	1	5	4	3	3	3	3	1	0	0	0	1	0	1	0
NM B	1	32	20	12	3	4	4	2	3	3	5	5	5	8	8	3	2	2	4	2	0	0	1	0	1	0	0	0
NY N	1	187	140	47	3	4	4	3	3	4	3	5	5	5	5	3	3	3	3	3	0	0	0	0	1	0	0	0
NY D	1	62	999	999	2	4	3	3	3	4	5	5	5	5	5	4	2	2	9	3	0	0	0	0	0	0	0	1
NC B	1	2	2	0	3	4	3	4	3	5	2	2	2	2	2	3	4	2	3	2	0	0	0	0	1	0	1	0
NC D	0	888	888	888	4	4	4	4	4	4	3	4	1	5	5	4	4	2	3	3	0	0	0	0	0	0	0	0
ND B	1	8	6	2	2	4	4	4	2	3	4	3	3	3	8	3	3	3	3	3	0	0	0	0	0	0	0	0
OH B	1	129	50	79	4	4	3	4	3	3	4	4	4	8	8	3	3	3	3	3	0	0	0	0	1	0	0	0
OH D	0	888	888	888	4	4	4	4	3	3	4	4	5	5	5	4	3	2	4	2	0	0	0	0	0	0	0	0
OK D	1	6	6	0	3	4	3	4	2	3	3	3	5	8	8	4	3	3	4	3	0	0	0	0	1	1	1	0
OK N	1	25	25	0	3	2	4	3	3	3	4	4	2	8	8	3	3	3	3	2	0	0	0	0	1	0	1	0
OR N	1	16	14	2	3	4	4	4	3	4	2	5	2	8	8	2	2	3	3	3	0	0	0	0	0	0	0	0
OR D	1	10	10	0	4	4	3	2	2	3	4	4	5	8	8	3	2	2	3	3	1	1	1	1	1	0	1	0
PA D	1	7	4	3	4	4	4	4	3	3	2	4	4	8	8	3	3	3	3	3	0	0	0	0	1	0	0	0
PA B	1	25	15	10	4	3	4	2	3	4	3	4	3	4	2	3	2	2	3	2	0	0	0	0	1	0	0	1

STATE	A23. COMPLAINTS				A24. RELATIONSHIPS WITH OTHER STATE AGENCIES											A25. NATURE OF RELATIONSHIPS					A26. WRITTEN PROCEDURES				A27. INFO TO GEN. PUBLIC			
	Y/N	DIRECT	INDIR.	TOTAL	a	b	c	d	e	f	g	h	i	j	k	a	b	c	d	e	a	b	c	d	a	b	c	d
RI N	1	999	999	999	4	4	4	4	3	4	2	5	5	5	5	3	3	3	3	3	0	0	0	0	1	0	0	1
RI D	0	888	888	888	4	4	4	4	3	4	2	5	5	5	5	3	3	3	3	3	0	0	0	0	1	0	0	1
SC N	1	2	1	1	2	2	4	2	3	4	1	4	3	3	1	2	3	1	3	1	0	0	0	0	0	0	0	0
SD N	1	20	15	5	4	2	4	2	4	3	2	2	3	8	8	3	2	3	1	3	0	0	0	0	1	0	1	1
SD D	0	888	888	888	4	2	4	2	4	3	2	2	3	8	8	3	2	3	1	3	0	0	0	0	1	0	1	1
TN D	0	888	888	888	2	2	4	2	2	3	2	2	2	8	8	3	3	3	2	2	0	0	0	0	1	0	0	0
TN N	1	4	3	1	4	4	4	4	3	3	3	4	2	3	2	2	4	3	4	3	0	0	0	0	1	0	0	0
TX N	1	112	90	22	2	3	4	3	3	5	4	5	3	3	1	3	3	3	3	3	1	1	0	0	1	1	1	1
TX D	1	2	2	0	2	2	3	3	3	3	2	3	2	5	1	4	2	2	2	2	0	0	0	0	0	0	0	0
VT D	1	6	6	0	3	3	4	4	1	5	5	5	4	5	1	3	3	2	4	2	0	0	1	0	1	0	0	0
VA D	0	888	888	888	4	4	3	2	3	3	3	3	5	8	8	3	3	2	2	2	1	1	0	0	0	0	0	0
VA N	1	36	28	8	2	3	4	2	3	3	5	4	3	3	8	3	3	3	3	3	0	0	0	0	1	0	0	1
WA N	1	6	1	5	2	3	4	2	4	3	2	3	2	2	2	2	2	3	1	3	0	0	0	0	0	0	0	0
WV D	0	888	888	888	3	3	4	3	1	5	3	3	5	5	1	3	3	2	3	2	0	0	0	0	1	0	0	0
WV N	1	5	5	0	2	4	4	2	3	3	5	2	2	2	1	2	3	1	3	2	0	0	0	0	0	0	0	0
WI B	1	361	215	146	4	4	4	3	4	5	3	1	1	3	1	3	2	3	3	3	0	0	0	0	0	1	0	0
WY B	0	888	888	888	2	3	3	4	1	3	3	5	3	2	8	2	2	2	2	2	0	0	0	0	0	0	0	0

STATE	A28. DISSEMINATION					A29. "SUNSHINE LAW"	A30. OWNERSHIP CHANGE		B1. INST. POLICIES AND PRACTICES AUTHORITY (continued)											
	a	b	c	d	e	Y/N	Y/N	b	a AUTH.	a PROH.	b AUTH.	b PROH.	c AUTH.	c PROH.	d AUTH.	d PROH.	e AUTH.	e PROH.	f AUTH.	f PROH.
AL N	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	0	1	0
AK N	0	0	0	1	1	1	1	1	1	0	1	1	1	1	1	0	0	0	1	1
AZ B	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1
AR D	1	0	0	0	0	1	1	1	1	0	1	1	1	0	1	0	1	0	1	0
AR N	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
CA N	1	1	1	1	1	0	1	1	1	1	1	1	1	1	1	1	0	0	1	1
CA D	1	1	1	1	1	0	1	1	1	0	1	0	1	0	1	0	1	0	1	0
CO N	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
CT N	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
CT D	0	1	1	1	1	1	1	1	1	0	1	0	1	0	1	0	1	0	1	0
DE D	0	0	0	0	0	1	1	0	1	1	1	1	1	0	1	1	1	0	1	0
DE N	1	1	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
DC N	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1
DC D	1	0	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0
FL D	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
FL N	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
GA D	1	0	1	1	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1
GA N	0	0	1	1	1	1	1	1	1	1	1	1	1	0	1	0	1	1	1	0
HI N	1	1	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0
HI D	0	0	0	0	0	1	1	0	0	0	1	0	1	0	1	0	1	0	1	0
ID N	1	1	1	1	0	1	0	8	1	1	1	1	1	1	0	0	0	0	0	0
IL D	0	1	0	0	1	0	1	0	1	0	1	0	1	0	1	0	0	0	0	0
IL N	0	0	0	0	0	0	1	0	1	1	1	1	1	1	1	1	1	1	1	1
IN B	1	1	1	1	1	1	1	0	1	1	1	1	1	1	0	0	1	1	1	1
IA N	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0
KS N	1	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1
KS D	0	0	0	0	0	1	0	8	1	0	1	0	1	0	1	0	1	0	1	0
KY D	0	1	0	0	0	1	1	0	1	0	1	0	1	0	1	0	1	0	1	0
KY N	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
LA B	1	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
ME D	0	0	0	0	0	1	1	1	1	1	1	1	0	0	0	0	0	0	0	0
ME N	0	0	0	0	1	1	1	1	1	1	1	1	1	1	0	0	1	0	1	0

STATE	A28. DISSEMINATION					A29. "SUNSHINE LAW"	A30. OWNERSHIP CHANGE		B1. INST. POLICIES AND PRACTICES AUTHORITY (continued)											
	a	b	c	d	e	Y/N	Y/N	b	a AUTH.	a PROH.	b AUTH.	b PROH.	c AUTH.	c PROH.	d AUTH.	d PROH.	e AUTH.	e PROH.	f AUTH.	f PROH.
MD D	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
MD N	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	1	1
MA N	1	1	1	1	1	1	1	0	1	1	1	1	1	1	1	1	1	0	1	1
MA D	1	1	1	1	1	1	1	1	0	1	1	1	0	0	1	1	1	1	1	1
MI N	1	0	0	0	1	8	1	1	1	1	1	1	1	1	1	8	1	1	1	1
MI D	0	0	1	1	1	1	0	8	0	0	0	0	0	0	0	0	1	0	1	1
MN B	1	1	1	0	1	1	1	0	1	1	1	1	1	1	1	1	0	0	1	1
MN D	1	1	1	0	0	1	1	0	1	0	1	0	0	0	1	0	0	0	1	0
MS D	9	9	9	9	9	9	1	0	0	0	0	0	0	0	0	0	0	0	0	0
MS N	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	0	1	1	1	1
MO D	0	0	0	0	0	1	0	8	0	0	0	0	0	0	0	0	0	0	0	0
MT N	1	0	1	0	1	1	1	1	1	0	1	1	1	0	1	0	1	0	1	1
NE B	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1
NE D	0	0	0	0	0	1	0	8	0	0	1	0	1	0	1	1	1	0	1	0
NV B	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
NH N	1	0	1	0	1	1	1	1	1	1	1	1	1	0	1	1	1	0	1	0
NH D	0	0	0	0	0	1	0	8	0	0	0	0	0	0	0	0	0	0	0	0
NJ N	0	0	0	0	0	1	1	0	1	0	1	0	1	0	1	0	0	0	1	0
NJ D	1	1	1	1	1	1	0	8	0	0	1	1	0	0	0	0	0	0	1	0
NM B	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
NY N	0	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	1	1
NY D	1	0	0	1	1	1	1	1	0	0	1	1	1	1	1	1	1	1	1	1
NC B	0	0	0	1	1	0	1	1	1	1	1	1	1	1	1	0	1	1	1	1
NC D	0	0	1	1	1	1	1	1	1	1	1	1	1	0	1	1	1	1	1	1
ND B	0	0	0	0	0	1	1	1	1	1	1	0	1	0	1	0	1	0	1	0
OH B	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
OH D	1	1	1	1	1	1	0	8	1	0	1	0	1	0	1	0	1	0	1	0
OK D	1	0	1	1	1	1	1	1	0	0	1	0	1	0	1	0	1	1	1	1
OK N	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	0	1	0	1	1
OR N	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
OR D	0	0	0	0	0	1	1	0	1	0	1	0	1	0	1	0	1	0	1	0
PA D	0	0	1	0	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1
PA B	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	0	1	0

STATE	A28. DISSEMINATION a	b	c	d	e	A29. "SUNSHINE LAW" Y/N	A30. OWNERSHIP CHANGE Y/N	b	B1. INST. POLICIES AND PRACTICES AUTHORITY (continued) a AUTH.	a PROH.	b AUTH.	b PROH.	c AUTH.	c PROH.	d AUTH.	d PROH.	e AUTH.	e PROH.	f AUTH.	f PROH.
RI N	0	0	1	1	1	1	1	1	1	0	1	1	1	0	1	1	1	0	1	0
RI D	0	0	1	1	1	1	1	1	1	0	1	0	1	0	1	0	1	0	1	0
SC N	1	0	0	1	1	1	1	1	1	1	1	1	1	0	0	0	0	0	1	1
SD N	1	1	1	0	0	0	1	1	1	1	1	1	1	0	1	0	1	0	1	0
SD D	1	1	1	0	0	0	1	1	1	1	1	1	1	0	1	0	1	0	1	0
TN D	1	1	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
TN N	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	0	0	1	1
TX N	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1
TX D	0	0	0	1	0	1	1	0	1	1	1	1	1	0	1	1	1	1	1	1
VT D	1	1	1	0	0	1	0	8	0	0	1	1	1	1	1	1	1	1	1	1
VA D	0	0	0	0	0	1	0	8	0	0	1	0	0	0	0	0	0	0	1	0
VA N	0	1	1	1	1	0	1	1	1	1	1	1	1	1	1	0	1	0	1	0
WA N	1	0	1	0	0	1	1	0	1	1	1	1	1	0	0	0	0	0	0	0
WV D	0	0	0	0	0	1	0	8	0	0	0	0	0	0	0	0	0	0	0	0
WV N	0	0	0	0	0	1	0	8	1	1	1	1	0	0	0	0	0	0	0	0
WI B	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	1	1
WY B	0	0	1	0	0	1	1	1	1	1	1	0	1	1	1	1	0	0	1	1

STATE	B1. (continued)				B2. FREQUENCY OF ACTION																	(continued)
	g AUTH.	g PROH.	h AUTH.	h PROH.	a INF.	a FORM.	a CT.	b INF.	b FORM.	b CT.	c INF.	c FORM.	c CT.	d INF.	d FORM.	d CT.	e INF.	e FORM.	e CT.	f INF.	f FORM.	f CT.
AL N	1	1	1	1	12	0	0	7	0	0	0	0	0	0	0	0	1	0	0	0	0	0
AK N	1	1	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	1	1
AZ B	1	1	1	1	4	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0
AR D	1	0	1	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AR N	1	1	1	1	2	0	0	0	0	0	0	0	0	2	0	0	1	0	0	0	0	0
CA N	1	1	1	1	22	0	0	15	0	0	0	0	0	8	0	0	0	0	0	12	1	0
CA D	1	0	1	0	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999
CO N	1	1	1	1	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CT N	1	1	1	1	10	0	0	5	0	0	5	0	0	3	0	0	1	0	0	2	0	0
CT D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DE D	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DE N	1	1	1	0	1	0	0	5	0	0	0	0	0	0	0	0	2	0	0	0	0	0
DC N	1	1	1	1	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
DC D	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FL D	1	1	1	1	0	0	0	1	0	1	1	0	0	2	0	0	2	0	0	10	0	0
FL N	1	1	1	1	1	1	0	6	0	0	0	0	0	4	4	2	1	0	0	1	1	1
GA D	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GA N	1	1	1	0	12	0	0	3	0	0	1	0	0	0	0	0	4	0	0	0	0	0
HI N	1	0	1	0	25	0	0	10	0	0	5	0	0	50	0	0	2	0	0	0	0	0
HI D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ID N	0	0	0	0	2	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
IL D	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IL N	1	1	1	1	59	0	0	12	0	0	1	0	0	16	0	0	3	0	0	1	0	0
IN B	1	1	1	1	0	0	0	10	0	0	1	1	0	0	0	0	0	0	0	0	0	0
IA N	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
KS N	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0
KS D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
KY D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
KY N	1	1	1	1	4	1	0	1	0	0	1	1	0	0	0	0	2	0	0	1	1	0
LA B	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ME D	1	1	1	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ME N	1	1	0	0	4	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0

STATE	B1. (continued)				B2. FREQUENCY OF ACTION																	(continued)
	g	g	h	h	a	a	a	b	b	b	c	c	c	d	d	d	e	e	e	f	f	f
.	AUTH.	PROH.	AUTH.	PROH.	INF.	FORM.	CT.	INF.	FORM.	CT.	INF.	FORM.	CT.	INF.	FORM.	CT.	INF.	FORM.	CT.	INF.	FORM.	CT.
MD D	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MD N	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MA N	1	1	1	1	1	2	0	8	0	0	2	0	0	0	0	0	3	0	0	0	0	0
MA D	1	1	0	1	888	0	0	888	0	0	888	0	0	888	0	0	888	0	0	888	0	0
MI N	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
MI D	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
MN B	1	1	1	1	3	0	0	11	0	0	1	0	0	3	0	0	0	0	0	1	0	0
MN D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MS D	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MS N	1	1	1	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MO D	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MT N	1	0	1	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NE B	1	0	1	1	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
NE D	1	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
NV B	1	1	1	1	4	3	0	7	0	0	0	0	0	11	0	0	3	0	0	3	3	0
NH N	1	0	1	0	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NH D	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NJ N	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NJ D	[illegible]	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NM B	1	1	1	1	888	5	0	888	1	0	888	0	0	888	1	0	888	1	0	888	0	0
NY N	1	1	1	1	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999
NY D	1	1	1	1	90	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NC B	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NC D	1	1	1	1	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999
ND B	1	0	1	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OH B	1	1	1	1	10	0	0	40	0	0	15	0	0	5	0	0	2	0	0	10	3	0
OH D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OK D	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
OK N	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OR N	1	1	1	1	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999	999
OR D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA D	1	1	1	1	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0
PA B	1	1	1	1	15	2	1	25	2	1	20	1	0	10	1	0	40	1	0	50	2	0

STATE	B1. (continued)				B2. FREQUENCY OF ACTION																	(continued)
	g AUTH.	g PROH.	h AUTH.	h PROH.	a INF.	a FORM.	a CT.	b INF.	b FORM.	b CT.	c INF.	c FORM.	c CT.	d INF.	d FORM.	d CT.	e INF.	e FORM.	e CT.	f INF.	f FORM.	f CT.
RI R	1	0	1	0	999	999	999	999	999	999	999	999	999	999	999	999	999	959	999	999	999	999
RI D	1	0	1	0	999	999	999	999	999	999	0	0	0	0	0	0	0	0	0	0	0	0
SC R	1	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SD R	1	0	1	0	15	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SD D	1	0	1	0	1	0	0	1	0	0	0	0	0	0	6	0	0	0	0	0	0	0
TN D	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TN R	1	1	1	1	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0
TX R	1	0	1	1	2	2	1	0	0	0	0	0	0	0	0	0	1	0	0	2	43	0
TX D	1	1	1	1	2	1	0	1	0	0	0	0	0	4	1	0	7	1	0	5	2	0
VT D	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VA D	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VA R	1	1	1	1	0	1	4	0	1	0	0	1	0	0	0	0	1	1	0	0	1	0
WA R	0	0	0	0	50	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WV D	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WV R	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WI R	1	1	1	1	0	0	0	0	0	0	0	1	0	0	2	0	0	0	0	0	2	0
WY R	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

STATE	B2. FREQUENCY OF ACTION (continued) g INF.	g FORM.	g CT.	h INF.	h FORM.	h CT.	i INF.	i FORM.	i CT.	TOTAL INF.	TOTAL FORM.	TOTAL CT.	C. DESIRED ASSISTANCE RATINGS 1	2	3	4	5	6	7	8	9a	9b	9c	9d
AL N	4	0	0	0	0	0	0	0	1	24	0	1	4	4	5	5	1	3	5	3	3	3	9	3
AK N	4	0	0	6	0	0	0	0	0	13	1	1	1	1	4	3	2	2	1	3	1	1	1	4
AZ B	2	0	0	0	0	0	0	0	0	8	0	0	1	5	1	1	1	1	1	5	1	1	1	1
AR D	0	0	0	0	0	0	12	0	0	14	0	0	2	2	1	2	4	2	3	1	2	4	9	4
AR N	3	0	0	1	0	0	1	0	0	10	0	0	3	4	1	1	4	4	1	1	9	9	9	3
CA N	15	0	0	5	0	0	3	0	2	80	1	2	4	3	5	4	3	5	4	3	4	4	4	4
CA D	999	999	999	999	999	999	999	999	999	999	999	999	4	3	5	4	3	5	4	3	4	4	4	4
CO N	6	0	0	0	0	0	0	0	0	16	0	0	3	2	5	5	5	5	5	5	5	2	2	4
CT N	0	0	0	5	0	0	0	0	0	31	0	0	4	2	5	2	4	3	2	4	2	2	2	2
CT D	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1	2	3	2	2	9	1	1	1	1
DE D	0	0	0	0	0	0	0	0	0	0	0	0	4	2	2	5	5	2	3	3	3	3	3	3
DE N	2	0	0	0	0	0	0	0	0	10	0	0	4	2	2	5	5	2	3	3	3	3	3	3
DC N	0	0	0	0	0	0	0	0	0	0	2	0	5	5	5	5	5	3	9	3	1	1	1	1
DC D	0	0	0	0	0	0	0	0	0	0	0	0	5	5	5	5	5	5	5	5	5	5	5	5
FL D	0	0	0	1	0	0	2	0	2	19	0	3	1	4	3	2	1	5	1	1	5	3	5	5
FL N	1	1	1	0	0	0	0	0	0	14	7	4	2	1	1	1	3	2	1	1	9	9	9	9
GA D	8	0	0	0	0	0	0	0	0	8	0	0	4	3	4	5	4	4	4	3	2	2	2	2
GA N	5	0	0	1	0	0	6	1	1	32	1	1	3	3	2	4	2	2	3	4	3	5	4	3
HI N	0	0	0	0	0	0	0	0	0	92	0	0	1	2	9	1	3	2	9	2	1	1	1	1
HI D	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1
ID N	0	0	0	0	0	0	0	0	0	4	0	0	5	3	2	3	2	4	5	5	9	3	9	3
IL D	0	0	0	0	0	0	0	0	0	0	0	0	5	3	4	4	5	5	3	3	5	5	5	5
IL N	12	0	0	15	0	0	24	64	0	134	64	0	2	1	5	1	5	5	3	3	5	5	2	4
IN B	0	0	0	0	0	0	0	0	0	11	1	0	3	4	1	1	1	5	1	5	5	5	9	5
IA N	0	0	0	0	0	0	0	0	0	0	0	0	2	3	5	5	5	5	5	5	4	3	4	3
KS N	0	0	0	0	0	0	0	0	0	1	1	0	3	3	1	3	3	3	3	3	4	4	4	4
KS D	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	3	3	1	3	3	3	3	3
KY D	0	0	0	0	0	0	0	0	0	0	0	0	5	3	1	2	1	1	1	3	1	1	1	5
KY N	3	0	0	0	0	0	2	0	0	14	3	0	5	3	5	4	4	4	1	1	2	2	2	2
LA B	0	0	0	0	0	0	0	1	0	0	1	0	5	4	5	5	5	5	5	5	5	5	5	5
ME D	0	0	0	0	0	0	0	0	0	5	0	0	5	4	5	5	5	3	3	4	5	9	9	9
ME N	0	0	0	0	0	0	0	0	0	7	0	0	5	2	5	3	3	3	1	4	3	3	3	3

STATE	B2. FREQUENCY OF ACTION (continued)												C. DESIRED ASSISTANCE RATINGS											
	g INF.	g FORM.	g CT.	h INF.	h FORM.	h CT.	i INF.	i FORM.	i CT.	TOTAL INF.	TOTAL FORM.	TOTAL CT.	1	2	3	4	5	6	7	8	9a	9b	9c	9d
MD D	0	0	0	0	0	0	0	0	0	0	0	0	5	4	4	5	4	5	4	5	5	5	5	5
MD N	0	0	0	0	0	0	0	0	2	0	0	2	5	4	4	5	4	5	4	5	5	5	5	5
MA N	8	0	0	10	0	0	0	0	0	32	2	0	5	5	5	4	4	1	3	3	9	9	9	5
MA D	888	0	0	888	0	0	889	0	0	888	0	0	5	2	5	5	5	5	9	4	4	4	5	4
MI N	0	1	0	0	1	0	0	0	0	0	3	0	2	3	5	5	5	3	5	9	1	4	5	5
MI D	0	0	0	0	0	0	0	0	0	1	0	0	3	2	5	2	2	2	5	1	2	2	1	4
MN B	7	0	0	3	0	0	0	0	0	29	0	0	2	2	5	3	5	1	1	5	3	3	1	4
MN D	0	0	0	0	0	0	0	0	0	0	0	0	2	1	1	1	3	4	1	4	1	2	9	3
MS D	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	3	1	1	1	1	1	1	1
MS N	0	0	0	0	0	0	0	0	0	2	0	0	2	1	4	1	4	3	2	1	1	1	1	1
MO D	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1	1	1	3	1	1	1	1	1	1
MT N	0	0	0	0	0	0	0	0	0	3	0	0	4	3	4	5	5	3	2	3	5	5	5	5
NE B	0	0	0	0	0	0	0	0	0	2	0	0	3	4	3	3	4	5	4	4	5	4	2	5
NE D	0	0	0	0	0	0	0	0	0	1	0	0	3	1	1	4	1	5	2	2	1	5	3	3
NV B	8	0	0	5	0	0	11	3	1	52	9	1	4	4	4	2	4	4	3	3	2	3	4	9
NH N	0	0	0	0	0	0	0	0	0	5	0	0	4	2	5	4	5	2	1	5	2	2	2	5
NH D	0	0	0	0	0	0	0	0	0	0	0	0	4	3	5	5	4	3	4	4	2	2	2	2
NJ N	0	0	0	0	0	0	0	0	0	0	0	0	1	1	3	1	1	2	1	4	1	1	1	3
NJ D	0	0	0	0	0	0	0	0	0	0	0	0	9	9	9	9	9	9	9	9	9	9	9	9
NM B	888	2	0	888	0	0	888	0	0	888	10	0	5	5	1	2	5	5	1	1	9	9	9	5
NY N	999	999	999	999	999	999	999	999	999	999	999	999	4	4	3	1	3	1	3	3	1	1	1	1
NY D	0	0	0	0	0	0	0	0	0	90	0	0	5	1	5	1	5	1	1	3	1	1	1	1
NC B	1	0	0	0	0	0	0	0	0	2	1	0	1	1	5	2	4	2	1	1	1	3	1	3
NC D	999	999	999	999	999	999	999	999	999	999	999	999	3	9	5	5	5	5	3	5	5	5	5	5
ND B	0	0	0	0	0	0	0	0	0	6	0	0	2	3	3	4	3	3	2	4	4	4	4	4
OH B	5	3	0	3	1	0	0	0	2	90	7	2	5	5	3	1	3	5	1	1	1	1	1	1
OH D	0	0	0	0	0	0	0	0	0	0	0	0	1	4	5	1	1	1	1	1	1	1	1	1
OK D	0	0	0	1	0	0	0	0	0	2	0	0	1	3	1	1	1	1	1	1	1	1	1	1
OK N	0	0	0	1	0	0	3	0	0	4	0	0	4	4	3	1	1	3	1	4	1	1	1	1
OR N	999	999	999	999	999	999	999	999	999	999	999	999	1	1	1	1	4	1	4	1	1	1	1	1
OR D	0	0	0	0	0	0	0	0	0	0	0	0	5	1	1	4	2	4	1	1	9	9	9	4
PA D	0	0	0	0	0	0	5	0	0	7	0	0	1	1	1	1	1	1	1	1	1	1	1	1
PA B	15	1	0	30	2	0	0	0	0	205	12	2	3	3	5	5	4	3	4	3	3	3	9	4

STATE	B2. FREQUENCY OF ACTION (continued)												C. DESIRED ASSISTANCE RATINGS											
	g INF.	g FORM.	g CT.	h INF.	h FORM.	h CT.	i INF.	i FORM.	i CT.	TOTAL INF.	TOTAL FORM.	TOTAL CT.	1	2	3	4	5	6	7	8	9a	9b	9c	9d
RI N	999	999	999	999	999	999	999	999	999	999	999	999	1	1	1	1	1	1	1	1	1	1	1	1
RI D	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1
SC N	0	0	0	0	0	0	0	0	0	2	0	0	2	1	5	5	1	1	1	1	3	1	1	3
SD N	0	0	0	0	0	0	0	0	0	19	0	0	1	1	1	1	1	4	1	4	9	9	9	4
SD D	0	0	0	0	0	0	0	0	0	2	0	0	1	1	1	1	1	4	1	4	9	9	9	4
TN D	0	0	0	0	0	0	0	0	0	0	0	0	3	3	5	2	5	2	1	3	2	2	2	2
TN N	1	1	0	0	0	0	0	0	0	5	2	0	5	3	3	2	1	4	2	3	9	9	9	3
TX N	1	0	0	0	0	0	0	62	10	6	107	11	1	1	5	5	9	4	1	5	5	4	1	2
TX D	7	2	0	2	1	0	0	0	0	28	8	0	1	1	1	1	1	1	1	1	1	1	1	1
VT D	0	0	0	0	0	0	6	0	0	6	0	0	5	3	5	5	5	5	5	4	5	5	1	5
VA D	0	0	0	0	0	0	0	0	0	0	0	0	3	2	2	2	2	4	2	1	4	4	4	4
VA N	1	1	0	0	1	0	0	0	0	2	7	4	2	3	5	4	4	2	2	4	4	9	9	4
WA N	0	0	0	0	0	0	0	0	0	57	0	0	1	1	1	1	1	1	1	1	1	1	1	1
WV D	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1	1
WV N	0	0	0	0	0	0	0	0	0	2	0	0	3	1	2	2	2	4	2	3	3	3	2	3
WI D	0	0	0	0	0	0	0	9	0	888	14	0	5	3	4	1	1	1	1	1	3	3	1	3
WY D	0	0	0	0	0	0	0	0	0	0	0	0	1	1	5	1	3	1	1	1	1	1	1	1